

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
ORGANIZATIONAL
SESSION OF 1967

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, JANUARY 10, 1967



WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

Brown Printing Company
Printers—Binders
Montgomery, Alabama

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State of Alabama

JOURNAL **OF THE** **SENATE** **OF THE** **STATE OF ALABAMA** **ORGANIZATIONAL SESSION OF 1967**

FIRST DAY

JANUARY 10, 1967

This being the second Tuesday in January, A. D., 1967, and the day fixed by law and the Constitution of the State of Alabama for the Organizational Session of the Legislature of Alabama:

The Senate of Alabama assembled in the Senate Chamber in the City of Montgomery, at the Capitol, at 12 o'clock Noon, and was called to order by Lieutenant Governor Allen. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by Mr. George L. Herring, Minister, Catoma Street Church of Christ, Montgomery, Alabama.

CERTIFICATE OF ELECTION

At the direction of the President and Presiding Officer of the Senate, the Secretary read the following Certificate of Election from the Secretary of State, to-wit:

STATE OF ALABAMA **DEPARTMENT OF STATE**

I, Mrs. Agnes Baggett, Secretary of State of the State of Alabama, do hereby certify that it appears from the returns of the election held on November 8, 1966, received in this Department in accordance with law, that the following named persons were elected to the State Senate for a term of four years, from the respective Senatorial Districts as follows:

For Senator from the 1st Senatorial District.....Stewart O'Bannon, Jr.
For Senator from the 2nd Senatorial District.....Bob Harris
For Senator from the 3rd Senatorial District.....Jack Giles
For Senator from the 4th Senatorial District.....Dan Stone
For Senator from the 5th Senatorial District.....W. Emmett Oden
For Senator from the 6th Senatorial District.....Fred C. Folsom
For Senator from the 7th Senatorial District.....Aubrey J. Carr
For Senator from the 8th Senatorial District.....Ollie W. Nabors

For Senator from the 9th Senatorial District.....Woodrow Albea

For Senator from the 10th Senatorial District.....James A. Branyon, II

For Senator from the 11th Senatorial District.....E. W. Skidmore

For Senator from the 12th Senatorial District:

Place No. 1.....Hugh Morrow, III

Place No. 2.....Leland Childs

Place No. 3.....John H. Hawkins, Jr.

Place No. 4.....Richard Dominick

Place No. 5.....Geo. Lewis Bailes, Jr.

Place No. 6.....Eddie Hubert Gilmore

Place No. 7.....Paschal P. (Pat) Vacca

For Senator from the 13th Senatorial District.....G. Kyser Leonard

For Senator from the 14th Senatorial District.....Walter C. Givhan

For Senator from the 15th Senatorial District.....W. G. McCarley

For Senator from the 16th Senatorial District.....Tom Radney

For Senator from the 17th Senatorial District.....C. C. (Bo) Torbert, Jr.

For Senator from the 18th Senatorial District.....W. H. (Pat) Lindsey, III

For Senator from the 19th Senatorial District.....Roland Cooper

For Senator from the 20th Senatorial District.....Alton L. Turner

For Senator from the 21st Senatorial District:

Place No. 1.....J. J. (Junie) Pierce

Place No. 2.....O. J. (Joe) Goodwyn

For Senator from the 22nd Senatorial District.....W. Ray Lolley

For Senator from the 23rd Senatorial District.....James S. (Jimmy) Clark

For Senator from the 24th Senatorial District:

Place No. 1.....Mylan R. Engel

Place No. 2.....Pierre Pelham

Place No. 3.....William H. McDermott

For Senator from the 25th Senatorial District.....J. Ernest Jackson

For Senator from the 26th Senatorial District.....J. L. (Jim) Adams

I do hereby certify that the certificate of election required by law to be furnished by me to the members of the State Senate has been mailed to each member shown to be elected by the returns of election made to this Department.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, this FOURTH day of JANUARY One Thousand Nine Hundred and SIXTY-SEVEN.

MRS. AGNES BAGGETT,
Secretary of State.

ROLL CALL

On a call of the roll, the following Senators-elect answered to their names, a quorum of the Senate:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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OATH OF OFFICE

Upon the request of the President and Presiding Officer of the Senate, Honorable James B. Allen, the Senators-Elect came forward, presented their credentials, and Honorable James B. Allen administered to them the oath of office prescribed by the Constitution of the State, and each Senator-Elect came forward and subscribed his name to the oath as follows:

OATH OF OFFICE

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability. So help me God."

J. L. (Jim) Adams	G. Kyser Leonard
Alton S. Turner	Aubrey J. Carr
Eddie Hubert Gilmore	George Lewis Bailes, Jr.
W. Ray Lolley	William H. McDermott
Roland Cooper	Richard Dominick
W. E. Oden	Stewart O'Bannon, Jr.
Hugh Morrow, III	Pierre Pelham
John H. Hawkins, Jr.	Dan Stone
Fred C. Folsom	Bob Harris
Mylan R. Engel	Woodrow Albea
Tom Radney	J. J. (Junie) Pierce
Walter C. Givhan	C. C. Torbert, Jr.
Jack Giles	Ollie Nabors
J. Ernest Jackson	E. W. Skidmore
James A. Branyon, II	W. H. (Pat) Lindsey III
Paschal V. Vacca	James S. Clark
W. G. McCarley	O. J. "Joe" Goodwyn
Leland Childs	

ELECTION OF OFFICERS

The President and Presiding Officer of the Senate announced that the next order of business was the election of officers as follows: President Pro Tempore, Secretary of the Senate, Assistant Secretary, Doorkeeper and Assistant Doorkeeper.

ELECTION OF PRESIDENT PRO TEMPORE

Mr. Cooper placed in nomination for President Pro Tempore of the Senate, Honorable O. J. Goodwyn.

Those who voted for Mr. Goodwyn are:

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Harris	Nabors	Turner
Clark	Hawkins	O'Bannon	Vacca
Cooper	Jackson	Oden	

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Mr. Goodwyn, having received a unanimous vote of the Senate, was declared duly and constitutionally elected President Pro Tempore of the Senate, for the term prescribed by law.

ELECTION OF SECRETARY

Mr. Clark placed in nomination for Secretary of the Senate, Honorable McDowell Lee.

Those who voted for Mr. Lee are:

Yeas:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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Mr. Lee, having received a unanimous vote of the Senate, was declared duly and constitutionally elected Secretary of the Senate, for the term prescribed by law.

ELECTION OF ASSISTANT SECRETARY

Mr. Pierce placed in nomination for Assistant Secretary of the Senate, Nell W. Ruffer.

Those who voted for Mrs. Ruffer are:

Yeas:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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Mrs. Ruffer, having received a unanimous vote of the Senate, was declared duly and constitutionally elected Assistant Secretary of the Senate, for the term prescribed by law.

ORGANIZATIONAL SESSION

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RESOLUTIONS

Mr. Cooper offered the following Senate Resolution, to-wit:

S. R. 1. Be it resolved by the Senate that the election of the Doorkeeper and the Assistant Doorkeeper be postponed until the next session of the Legislature.

On motion of Mr. Cooper, said Resolution was adopted by the Senate.

OATH OF OFFICE

The Oath of Office prescribed by the Constitution of Alabama was then administered by the President and Presiding Officer of the Senate to the following officers, to-wit: Honorable O. J. Goodwyn, President Pro Tempore, Honorable McDowell Lee, Secretary of the Senate, and Nell W. Ruffer, Assistant Secretary of the Senate.

RESOLUTIONS

Mr. Turner offered the following Senate Joint Resolution, to-wit:

JOINT RESOLUTION

CREATING AN INTERIM COMMITTEE

SENATE JOINT RESOLUTION NO. 2

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That there shall be a joint interim committee on finance and taxation to meet on call of its chairman during the interim between the dates of January 18, 1967, and the first day of May next following, who shall make a study of the financial condition of the state, hold budget hearings, inquire into ways and means of financing the state government and its programs, and report its findings, conclusions, and recommendations to the Governor and to each house of the Legislature at the next regular legislative session.

The committee shall consist of the members of the Senate Committee on Finance and Taxation, the President Pro Tem of the Senate, the members of the Ways and Means Committee of the House, and the Speaker of the House. The Lieutenant Governor shall be an ex officio member of the Committee. The chairman of the Senate Committee on Finance and Taxation shall be chairman of the interim committee and the chairman of the Ways and Means Committee of the House shall be vice chairman.

The chairman of the committee, or in his absence, the vice chairman, shall set the schedule and program for committee work. He shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee. He may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work. The chairman of the committee may employ such clerical, technical, and expert assistance as he may find necessary for the proper performance by the committee of its duties.

The compensation of committee members and committee employees shall be paid as provided in Code 1940, Title 32, Sections 13 and 14, and the members shall each be entitled to expenses as provided them for legislative sessions.

RESOLVED FURTHER, That the final report of the committee shall be submitted to the Governor no later than Monday, May 1, 1967, and upon the submission of such report the committee shall be dissolved.

On motion of Mr. Turner, said Resolution was adopted by the Senate.

Messrs. Morrow, Hawkins, Gilmore, Childs, Dominick, Vacca and Bailes offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. Providing for an interim committee to study current practices and professional recommendations relating to the identification, classification, diagnosis, treatment, apprehension, supervision and incarceration of deviate sex offenders.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be created and established a joint interim committee consisting of three members of the House of Representatives appointed by the Speaker thereof and three members of the Senate appointed by the President of the Senate, to study current practices and professional recommendations relating to the identification, classification, diagnosis, treatment, apprehension, supervision and incarceration of deviate sex offenders in the State of Alabama, and to survey the laws and practices of other states relating to the control of abnormal sexual behavior. The committee shall appoint an advisory board consisting of not more than 15 members, including psychiatrists, criminologists, penologists, physicians, law enforcement officers, and such other persons having special knowledge and skills in the subject matter field, to aid and assist them in the performance of their duties. Neither the members of the committee nor the members of its advisory board shall receive any compensation for their services. The members of the committee shall elect a chairman and a vice chairman from among their own number and may provide for employment of professional assistants and consultants and for payment of their compensation. Expenses incurred by the committee in carrying out its powers and duties hereunder shall be paid from funds appropriated to the use of the Legislature on requisitions signed by the committee chairman.

RESOLVED FURTHER, That the committee shall prepare a report of their findings, conclusions, and recommendations with respect to the need for additional state legislation to control abnormal or deviate sexual conduct and to punish deviate sexual offenders. The committee's report shall be filed in each house not later than the tenth legislative day of the 1967 Regular Session or before at the option of the committee, and the committee shall thereupon be discharged.

On motion of Mr. Morrow, further consideration of the Resolution, S. J. R. 3, was postponed until later in the day.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that when the Legislature adjourns today, it adjourn to meet again on Wednesday, January 11, 1967; and that when the Legislature adjourns on Wednesday, it adjourn to meet again on Tuesday, January 17, 1967, and when it adjourns on Tuesday, January 17, it adjourn sine die.

On motion of Mr. Cooper, said Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a committee of five, consisting of two members on the part of the Senate to be appointed by the presiding officer of the Senate, and three members on the part of the House to be appointed by the Speaker of the House, be named to wait upon the Governor of Alabama, and inform him of the organization of the Legislature of Alabama, and its readiness to transact business.

BE IT FURTHER RESOLVED that said committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does so desire to address a joint session then to further ascertain the time most suitable to him for such address.

On motion of Mr. Cooper, said Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Stone and Adams.

Messrs. Goodwyn, Pierce, Torbert and Folsom offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. WHEREAS Ben S. Gilmer, native of Montgomery, Alabama, is the first Southerner to be elected president of the American Telephone and Telegraph Company, this country's largest industrial corporation and the world's largest company in assets; and

WHEREAS Mr. Gilmer, who is the son of Josephine Screws Gilmer and the late Merriwether Nicholas Gilmer, families long prominent in the history and development of Alabama, has many relatives and hosts of friends in this State with whom he maintains close and affectionate ties. He was reared in Montgomery and educated in the public schools of this city, was graduated with a bachelor of science degree in electrical engineering from Auburn University and was later awarded an honorary doctor of science degree by that institution; and

WHEREAS Mr. Gilmer has been associated with the Bell Telephone System and its parent organization, The American Telephone and Telegraph System, in various capacities for over thirty years and is highly knowledgeable in every phase of company activities. He began his career as an installer of telephones, was shortly thereafter transferred to Atlanta for the company's general introductory training course and served in successively responsible positions in its general commercial department until he volunteered for service in World War II; and

WHEREAS Mr. Gilmer served with distinction in the United States Army Air Force for more than three years, was assistant chief of staff for the Third Fighter Command, and at the time he was released from active duty held the rank of Lieutenant-colonel; and

WHEREAS Mr. Gilmer rejoined Southern Bell upon completion of his active duty with the Air Force and subsequently became assistant vice president of the company. His later assignments included that of Louisiana manager, general commercial manager of a nine state area, vice president and general manager of Northwestern Bell, president of Southern Bell, and executive vice president of American Telephone and Telegraph; and

WHEREAS Mr. Gilmer's wide interests and activities are evidenced by his affiliation with numerous corporations and institutions. He is a director of Merck and Company, the First National Bank of Atlanta, Rich's Incorporated, U. S. Pipe and Foundry, and Hanover Trust Com-

pany. He is a past national president of the Auburn Alumni Association, is presently chairman of the board of trustees of the Auburn University Foundation, is a trustee of Agnes Scott College, trustee of the Atlanta Art Alliance, trustee of the John Bulow Campbell Foundation, in addition to being associated with numerous other civic organizations and endeavors; and

WHEREAS Alabama is indeed proud of her native son who has won this important position for himself through his integrity, ability and hard work. The utilization of the full extent of his many capabilities, his purposeful diligence and his ever present sense of values in all his dealings will serve as an inspiration to young people everywhere; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mr. Gilmer upon his being named president of the American Telephone and Telegraph Company; we assure him of our pride in his accomplishments and commend the company upon its obtaining the services of such an able and dedicated helmsman.

RESOLVED FURTHER that we invite Mr. Gilmer to address the Legislature of Alabama in joint assembly at such time as may suit his convenience.

On motion of Mr. Goodwyn, said Resolution was adopted by the Senate.

Messrs. Goodwyn, Pierce, Torbert and Folsom offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. WHEREAS Mr. Ben S. Gilmer, recently elected president of the American Telephone and Telegraph Company is the first Southerner ever to be named head of this corporation which is the world's largest industrial enterprise; and

WHEREAS Mr. Gilmer, descendant of families long prominent in the history of the South, was reared in Montgomery and educated in the public schools of this city, was graduated from Auburn University and is a product of this State in whom Alabamians take much justifiable pride; and

WHEREAS we congratulate Mr. Gilmer upon his elevation to this high position which he so richly deserves because of his many dedicated years of hard work and able services in a series of increasingly responsible positions which evidenced his unusual business acumen and unquestioned integrity in all his dealings, and we commend the American Telephone and Telegraph Company upon its recognition of Mr. Gilmer's rare talents and its ability to secure his services as its chief executive officer; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we cordially invite Mr. Gilmer to address a joint session of the two houses on Wednesday, January 11, 1967.

On motion of Mr. Goodwyn, said Resolution was adopted by the Senate.

MOTION IN WRITING

Mr. Goodwyn offered the following Motion in Writing, to-wit:

MOTION IN WRITING

Mr. President, I move that the accompanying Rules of the Senate now be adopted as the Rules of the Senate for the ensuing quadrennium.

O. J. GOODWYN.

Which was adopted; and the following Rules were adopted by the Senate for the quadrennium 1967-1970.

GENERAL RULES OF ORDER AND PROCEDURE

RULE 1. The President shall take his chair precisely at the hour to which the Senate has been previously adjourned. He shall call the Senate to order and cause the roll to be called. If there is a quorum present, the Senate shall proceed with the transaction of its business; if there be no quorum present, a less number may adjourn from day to day and compel the attendance of absent members, as provided in Rule 34.

RULE 2. Unless it is otherwise specially provided for by resolution, the Senate shall meet at ten o'clock A. M., except on Mondays, when the Senate shall convene at twelve o'clock noon.

RULE 3. No person shall be admitted on the floor of the Senate's Chamber while the Senate is in session except members and former members of the Legislature, officers and employees of the two houses, the Governor and his secretary, representatives of the press, who shall be placed by the Secretary of the Senate, the directors and employees of the Department of Archives and History, the Department of Examiners of Accounts, and the Legislative Reference Service, in aid of reference work, and such other persons as may be granted the privileges of the floor in accordance with Rule 4.

RULE 4. The President may appoint three members of the Senate to give written permission for privilege of the floor but permission so given shall be for the day it is written.

RULE 5. No person shall be allowed to lobby in the Senate's chamber while the Senate is in session.

RULE 6. No motion shall be deemed in order to admit any person whomsoever within the doors of the Senate's chamber to present any petition, memorial, or address, or to have any such read.

RULE 7. After reading the journal, the regular order of transacting business shall be:

- 1st, Signing of bills;
- 2nd, Call of districts;
- 3rd, House messages;
- 4th, Reports from standing committees;
- 5th, Reports from select committees;
- 6th, Motions and resolutions;
- 7th, Bills on third reading;
- 8th, Special orders of the day at twelve o'clock noon;
- 9th, Other business.

RULE 8. The regular order of business shall not be set aside except by a majority vote of the Senate, upon a resolution previously considered and reported by the committee on rules. But the reading of the journal may be dispensed with on motion, which motion shall be decided without debate.

RULE 9. Under call of the districts, only bills, petitions, memorials, or resolutions which are to be referred to committees shall be introduced.

RULE 10. The unfinished business in which the Senate was engaged at the last preceding adjournment shall have preference in the special orders of the day.

RULE 11. Special orders shall not be called before twelve o'clock, noon, unless specially set for some other hour.

RULE 12. A motion for a special order, if objected to, shall be first referred to and be reported from the committee on rules.

RULE 13. Bills on third reading postponed to a day certain shall take precedence of other bills on third reading on such day, and from day to day thereafter until disposed of. Priority of postponed bills shall be in the order of their postponement.

RULE 14. When reports of standing committees are in order, the committee last occupying it shall be entitled to the floor.

RULE 15. Every motion shall be reduced to writing upon request of the presiding officer or any Senator. Written motions shall be delivered at the table and read before the same shall be debated.

RULE 16. Before any memorial or petition addressed to the Senate shall be received and read at the table, a brief statement of its contents shall be made by the introducer.

RULE 17. When a question is under debate, no motion shall be received but 1) to adjourn, 2) to adjourn to a day certain, 3) to lay on the table, 4) to postpone indefinitely, 5) to postpone to a certain day, 6) to commit, or 7) to amend, which several motions shall have precedence in the order they stand arranged. The motions to adjourn, to adjourn to a day certain, and to lay on the table shall always be in order and shall be decided without debate.

RULE 18. A motion to lay on the table an amendment or substitute shall not carry with it the original bill, resolution, or proposition.

RULE 19. The committee on rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour and a vote be taken on the measure. The consideration of such special rule shall not exceed thirty minutes, when a vote shall be taken thereon; and if two-thirds of the members elected shall vote to limit debate, then said rule shall have been adopted by the Senate.

RULE 20. Messages may be introduced at any stage of business, except while a question is being put, while the yeas and nays are being called, or while the ballots are being counted.

RULE 21. No discussion or debate shall be allowed while a vote is being taken, except by unanimous consent of the Senate.

RULE 22. Every bill on first reading shall be referred to a standing committee, and shall be read a second time when returned from the committee on any subsequent day.

RULE 23. When the reading of any paper is called for and the reading is objected to by a member, the question shall be determined by a vote of the Senate without debate.

RULE 24. If the question in debate contains several points, any member may vote for a division. But it shall not be in order to move for a division of the question on a motion to strike out and insert.

RULE 25. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor shall a subsequent motion simply to strike out prevent a subsequent motion to strike out and insert.

RULE 26. In filling blanks, the largest sum and longest time shall be put first.

RULE 27. When a vote has been taken on any question, it shall be in order for any Senator of the majority to move for the reconsideration thereof. But no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment, or motion upon which the vote was taken shall have gone out of the possession of the Senate. Nor shall any motion for reconsideration be in order unless it is made on the same day on which the vote was taken, or by twelve o'clock noon the next day, or one hour after the Senate convenes, if after twelve o'clock.

RULE 28. When any question may have been decided by the Senate in which more than a majority of the members present are necessary to carry the affirmative, any Senator who voted on the side that prevailed in the question may move for a reconsideration, and such motion shall be decided by a majority vote.

RULE 29. Resolutions proposing amendments to the Constitution or requiring the approbation or signature of the President or granting money out of funds appropriated for the Legislature shall be treated in all respects in the introduction and form of proceedings thereon as bills.

RULE 30. All motions to go into executive session shall be decided without debate.

RULE 31. Executive messages shall be considered with open doors, unless it is otherwise requested in the message or otherwise ordered by a vote of the Senate, but all executive nominations and appointments and executive amendments and vetoes shall be referred to, and be reported from the committee on rules before consideration by the Senate.

RULE 32. The final question upon every bill or resolution requiring three readings prior to passage shall be put in this form: "Shall the bill (or resolution) be read a third time?" No amendment shall be received for discussion after the third reading of any bill, resolution, amendment or motion, except by unanimous consent of the members present; but it shall at all times be in order, before the final passage of any such bill, resolution, constitutional amendment or motion, to move its commitment, and if such commitment takes place and an amendment is reported by the committee, the said bill, resolution, constitutional amendment, or motion shall be again read a second time, and then the aforesaid question shall be put.

Rule 33. No motion to suspend, modify or amend any rule or any part thereof shall be in order except on one day's notice in writing, which notice shall specify precisely the rule or part thereof proposed to be suspended, modified or amended. Before any vote shall be taken on such motion, it shall be first referred to the committee on rules, and said committee must report thereon. Any rule may be suspended by unanimous consent of the Senate. Alterations of the rules shall be decided by a majority vote.

RULES RELATING TO SENATORS

RULE 34. No Senator shall absent himself from the service of the Senate for as long as one day, without leave of the Senate first obtained. In case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the Doorkeeper or some other person for any or all absent Senators, as the majority of the Senators present shall agree. The expense of sending for an absent Senator shall be paid by the absentee, unless an excuse for non-attendance shall be made, as a quorum of the Senate shall judge sufficient, in which event the expense of securing the attendance of such Senator shall be paid out of funds appropriated for the Legislature.

RULE 35. When a member is about to speak, he shall arise and address the chair, standing in his place; and when he has finished, he shall sit down.

RULE 36. When the yeas and nays shall be called for by one-tenth of the Senators present, each Senator called upon shall, unless for special reasons he be excused by the Senate, declare openly and without debate, his assent or dissent to the question. No members shall be permitted to vote after the decision is announced from the chair. In taking the yeas and nays, and upon the call of the Senate, the names of the Senators shall be called alphabetically.

RULE 37. No member shall speak more than twice on any question under debate and none shall, without leave of the Senate, consume more than one hour at each time. The originator of the pending question, or the chairman of the committee reporting the measure, shall have the right to conclude the debate, which right cannot be cut off by motion to table. The originator of the pending question shall have precedence.

RULE 38. When a Senator shall be called to order by the President, or a Senator, he shall sit down.

RULE 39. The Secretary shall cause to be printed for the use of each Senator, and each Senator shall promptly execute a form on which there shall appear a place for the signature of such Senator and above it a statement of the names and addresses of each public utility, public service, or quasipublic corporation, and any other person, firm or corporation engaged in any business or industry subject to regulation by the Alabama Public Service Commission with which the Senator may now or at any time within one year prior to the convening of the Senate in regular biennial session have been connected, as agent, employee, officer, director or attorney, or from which he receives, or has during such time received, compensation, direct or indirect, or has received a pass or rate concession or reduction of any nature whatsoever. If no such connection exists, a statement to that effect shall be made. Executed forms, and an unfilled form bearing the name of each Senator who fails to execute a form, shall be bound in alphabetical order, in a permanent volume, on or before the fifth legislative day of the regular biennial session, which volume shall be kept open to public inspection in the office of the Secretary while the Senate is in session and shall be thereafter deposited with the permanent records of the Legislature.

RULES RELATING TO PRESIDING OFFICER

RULE 40. In the absence of the President, the President pro tempore shall preside; but the President shall have the right to name a member to perform temporarily the duties of the Chair.

RULE 41. All questions shall be put by the Chair, and members shall signify assent or dissent by answering yea or nay. If those who

vote are sufficient in number to show that a majority constituting a quorum so acted, those who thus voted only shall be counted as constituting the house for the purpose of that vote; but when any question is put and a quorum is not recorded as voting, the Chair shall, before announcing the vote, on his own motion or on suggestion of any Senator, instruct the Secretary to record as present a sufficient number of those Senators physically present to constitute a quorum, though all present are not participating.

RULE 42. Every question of order shall be decided by the Chair without debate, subject to an appeal to the Senate. The Chair may call for the sense of the Senate on any question of order.

RULE 43. When two or more Senators rise at the same time, the Chair shall name the Senator who is to speak first.

RULE 44. The Chair shall give notice at each reading of a bill whether it be the first, second, or third.

RULE 45. The President shall control such parts of the Capitol and its passages as are set apart for the use of the Senate and its officers, and may, in his discretion, permit the proceedings of the Senate to be photographed or televised.

RULE 46. All committees of the Senate shall be named by the President.

RULES RELATING TO COMMITTEES

RULE 47. There shall be thirty-one standing committees upon the following subjects:

1. On the judiciary. Seventeen members.
2. On constitution and constitutional revision and amendments. Thirteen members.
3. On finance and taxation including accounts and claims, and fees and salaries. Fifteen members.
4. On banking. Nine members.
5. On insurance. Seven members.
6. On public welfare and correctional institutions. Nine members.
7. On corporations. Six members.
8. On local legislation No. 1. Seven members.
9. On education. Twenty-one members.
10. On commerce and common carriers. Seven members.
11. On mining and manufacturing. Nine members.
12. On agriculture. Twelve members.
13. On municipalities and municipal organizations, including charitable institutions. Nine members.
14. On counties and county boundaries. Five members.
15. On immigration, industrial resources and labor. Nine members.
16. On public buildings and grounds. Three members.

17. On privileges and elections, including grievances, inabilities and registration. Eleven members.

18. On printing. Five members.

19. On public health. Five members.

20. On military. Seven members.

21. On temperance. Nine members.

22. On engrossed bills. Three members.

23. On enrolled bills. Three members.

24. On revision of the journal. Four members, whose duty it shall be to examine in reference to each bill or resolution finally passed by the Legislature and report whether the journal contains the entries required by the Constitution.

25. On public roads and highways. Fifteen members.

26. On fish and game. Ten members.

27. On forestry and conservation. Ten members.

28. On rules. Seven members.

29. On seaports. Seven members.

30. On aviation and traffic. Seven members.

31. On local legislation No. 2. Seven members.

RULE 48. Every bill, petition, memorial, or other paper shall, upon the first reading thereof, be referred to the standing committee having the subject matter thereof under consideration, unless it is ordered otherwise by a majority vote of the Senate.

RULE 49. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be put first.

RULE 50. All bills carrying appropriations shall be referred to the committee on finance and taxation and reported therefrom, whether previously referred to another committee or not.

RULE 51. All resolutions shall be referred to and be reported from the committee on rules before consideration by the Senate. This rule shall not apply to resolutions requiring immediate consideration.

RULE 52. When a bill has been acted upon by a standing committee, the committee's chairman shall endorse on said bill:

"This bill was referred to the standing committee on _____ and was acted upon by such committee in session and is by order of the committee returned therefrom with _____.

"This _____ day of _____, 196_____.

Chairman."

RULE 53. When a committee has decided adversely to any bill or resolution, such action shall be endorsed thereon and the bill or resolution shall be delivered forthwith to the Secretary, who shall note the unfavorable report on the register or docket of bills. The Secretary shall keep and print a calendar of adversely reported bills and resolu-

tions, adding bills and resolutions from day to day without reprinting. Any Senator may, after one day's written notice, on the day named in the notice, after the call of standing committees, move the second reading of such bill or resolution. By a majority vote of the entire Senate, the bill or resolution may be read by its title a second time and be placed on the calendar. Only thirty minutes to the side shall be allowed for the discussion of such motion, which time may be divided as the Senators favoring or opposing the same may agree for their respective sides.

RULE 54. The committees on rules, on enrolled bills, on engrossed bills, and on revision of the journal may report at any time.

RULE 54½. Whenever the Chairman of any Committee shall refuse to call a meeting of such Committee, then a majority of the members of the Committee may call a meeting by giving one day's written notice setting the time and place for such meeting. Such notice shall be read by the Secretary and posted in the Senate Chamber. Whenever, the Chairman and Vice-Chairman are absent at any Committee Meeting, a majority of a Committee may designate any member of the Committee as acting Chairman.

RULES RELATING TO THE SECRETARY AND THE JOURNAL

RULE 55. The proceedings of the Senate, when not in committee of the whole, shall be entered on the journal as concisely as possible, care being taken to detail a true and accurate account thereof. Every vote of the Senate shall be entered on the journal, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be inserted thereon.

RULE 56. The titles of bills and such parts thereof only as shall be affected by proposed amendments shall be inserted on the journal.

RULE 57. The Secretary shall, on the introduction of bills, make an entry in the journal as follows:

"INTRODUCTION OF BILLS

"Upon the call of districts, bills were introduced, severally read once and referred to appropriate standing committees as follows: (Here set out the number and title of each bill introduced and the name of the committee to which it was referred)."

RULE 58. When a bill shall be returned from a standing committee, the Secretary shall make the journal read:

"Mr. _____, Chairman of the standing committee on _____, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a _____, which bills were severally read a second time and placed on the calendar, to-wit:"

RULE 59. On the signing of bills, the Secretary shall make the journal read:

"SIGNING OF BILLS

"The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate,

signed the foregoing bills, the titles of which are set out in the foregoing (Message from the House, or Report from the committee on enrolled bills, as the case may be)."

RULE 60. Messages shall be sent to the House of Representatives by the Secretary, who shall endorse the final determination of the Senate thereon.

RULE 61. The Secretary shall provide the chairman of each standing committee with a stamp with which to make endorsements on bills.

RULE 62. Upon adjournment of the Senate, the Secretary shall enter on the journal the hour of adjournment and the name of the member on whose motion adjournment was had.

RULE 63. If a Senator be called to order by a Senator for words spoken, the exceptional words shall be taken down immediately in writing by the Secretary so that the presiding officer may judge of the matter.

RULE 64. The Secretary shall furnish to the members daily a printed calendar of all bills and resolutions on third reading, which bills and resolutions shall be arranged in the order in which they are entitled to consideration.

RULE 65. The Secretary shall cause to be printed and distributed among the members of the Senate in a pocket-size book or pamphlet, these rules, together with the joint rules of the Senate and House, the names of members of the standing committees of the Senate and House, the names and titles of the officers of the Senate and House, and the names and addresses of the members of the Senate and House.

RULE 66. Every bill making an appropriation from the state treasury or increasing or decreasing state revenue shall, before any vote is taken thereon by the Senate, have endorsed thereon or attached thereto a reliable estimate of the amount of money involved therein, and the anticipated increase or decrease in public spending or the increase or decrease in revenue collections under the provisions of the bill. The estimate (or fiscal note) shall be prepared by or under the supervision of the standing committee to whom the bill is referred, and the estimate (or fiscal note) endorsed on the bill or attached thereto shall be printed on the calendar of bills on third reading immediately following the title of the bill.

RESOLUTIONS

Mr. Goodwyn offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the following be adopted as the Joint Rules of the two Houses of the Legislature of Alabama for the ensuing quadrennium.

JOINT RULES OF THE TWO HOUSES OF THE LEGISLATURE OF ALABAMA 1967

1. Messages from one house to the other shall take precedence over all other questions.

2. When House or Senate bills are signed by the presiding officer of the House or Senate, the Clerk or Secretary, as the case may be, shall notify the other house and request the signature of the presiding officer

to the same, and as soon as the message is read, the presiding officer shall immediately sign the bills in the presence of the House or Senate, as prescribed by the Constitution.

3. No local or special bill shall be introduced into either house unless the member who introduces it discloses at the time the fact that the notice required by the Constitution and laws has been given, and submits one original and two exact copies of proof thereof with the bills.

4. All bills for amendment to any section or part of the Code by reference to the section or other subdivision of the Code must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or subsection relates.

5. The Secretary or the Clerk, as the case may be, shall, when a bill is duly enrolled and signed by the presiding officers of both houses, deliver the bill to the Governor, noting thereon the day and hour and minute of delivery, and he shall make a written report to the house where the bill originated showing the number and title of the bill and time of delivery, which shall be spread upon the Journal.

6. All legislative documents, reports, or other papers which may be ordered printed by either house shall be printed in octavo form, 23 ems measure in width, in 10 point type, with one lead only, saddle stitched or wired on the side, and the title page shall have a heading in substantially the following form:

IN THE LEGISLATURE OF THE STATE OF ALABAMA
1967

Legislative Document No. _____
(or Calendar No. _____, for that publication, with the name of the particular house.)

7. Bills or resolutions ordered printed by either house, or by any committee or the chairman thereof under the rules of the respective houses shall be given a printed bill number in the order received by the printer, in addition to the Senate or House number, be saddle stitched or wired on the left side, and the heading of each shall be substantially as follows:

Printed	Senate (or House)
No. _____	No. _____

IN THE LEGISLATURE OF THE STATE OF ALABAMA
1967

Jan. (or other date) _____ Senate (or House) Bill (or resolution) No. _____, introduced by Mr. _____ of _____ (County).

Read 1 time and referred to committee on _____
(or such other action, showing status at date printed).

Jan. (or other date) _____ copies
ordered printed by the Senate (or House).

8. The printer shall print two hundred and fifty copies of each legislative document for the use of the Department of Archives and History, unless otherwise ordered by the Director.

9. The privileges of the floor of both houses are accorded the Directors and employees of the Department of Archives and History

and the Legislative Reference Service in aid of the reference work required by law to be done by the Service for members of the Legislature.

10. The presiding officer of the Senate shall preside when the two Houses meet in joint sessions.

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

I am directed by the House to notify the Senate that the House has perfected its organization by the election of the following officers:

Speaker: Honorable Rankin Fite

Speaker Pro Tem: Honorable Hugh D. Merrill

Clerk: Honorable John W. Pemberton

Assistant Clerk: Mrs. Elizabeth W. Wilson

Doorkeeper: E. D. Granger

Assistant Doorkeeper: Paul Fuller

And is now ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

Messrs. Cooper, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner and Vacca offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. WHEREAS our beloved and highly esteemed outgoing Lieutenant-Governor, James B. Allen, is temporarily retiring from public office to devote his full time to his chosen profession, the practice of law; and

WHEREAS Mr. Allen has most ably and unselfishly served this State in many positions of importance, having been first elected to membership in the House of Representatives from Etowah County for the years 1939-1943 and again for the term 1943-1945, resigning in the middle of his second term to enter the United States Naval Reserve as an ensign, and serving until 1946 when he was discharged as a Lieutenant, junior grade. He served in the State Senate, representing Etowah and St. Clair Counties for the term 1947-1951, was elected Lieutenant-Governor for the term 1951-1955, and again for the term beginning 1963; and

WHEREAS Mr. Allen has been personally helpful to the individual members of this legislature and his sound judgment, calm reasoning and skillful direction has steered this body through many rough seas and onto a straight and purposeful course; and

WHEREAS we shall individually and collectively miss this great leader whom we have long admired and respected and have been proud

to call our friend throughout many years of close association; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama is deeply indebted to Lieutenant-Governor Allen for his many years of untiring and selfless devotion in its service, that the members of this body are indeed grateful for his cherished friendship, and wish for him long and continued success in every endeavor.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was unanimously adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a joint session of the House and Senate be held at 2:30 P. M. o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED that a committee of two from the Senate, to be named by the Presiding Officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the Joint Session.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Giles and Clark.

RECESS

At 1:10 P. M., on motion of Mr. Cooper, the Senate took a recess until 2:25 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Allen.

FURTHER CONSIDERATION OF S. J. R. 3

The Senate proceeded to further consideration of the Resolution:

S. J. R. 3. Providing for an interim committee to study current practices and professional recommendations relating to the identification, classification, diagnosis, treatment, apprehension, supervision and incarceration of deviate sex offenders.

And said Resolution was referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration.

By Mr. Merrill:

H. J. R. 7. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Wednesday, January 11, 1967, at 10:30 o'clock A. M.

AND BE IT FURTHER RESOLVED that the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives at 10:30 A. M., January 12, 1967, for the purpose of witnessing the opening and publishing of the returns of the election of executive officers of the State of Alabama at the general election held on November 8, 1966, as required by Section 115 of the Constitution of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 7, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

JOINT SESSION

At 2:27 P. M., on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the message of His Excellency, the Governor, Honorable George C. Wallace.

The Session was called to order by Honorable James B. Allen, President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, Honorable George C. Wallace was escorted to the chair and delivered his address to the Legislature of Alabama.

(See House Journal for Governor's Message.)

The purpose of the Joint Session having been accomplished, the Senate returned to its Chamber and was called to order by Honorable James B. Allen, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 4. Relative to adjournment of the two Houses to meet again on Wednesday, January 11, 1967.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 7. Relative to inviting Honorable Ben S. Gilmer to address a joint session of the Legislature.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

HOUSE JOINT RESOLUTION 4.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Lieutenant Governor of Alabama is authorized to employ on a full time basis, whether the Legislature be in session or not, a full time secretary, whose compensation shall be fixed by the Secretary of the Senate at an amount not less than \$16 per day, and the Speaker of the House of Representatives is also authorized to employ on a full time basis, whether the Legislature be in session or not, a full time secretary, whose compensation shall be set by the Clerk of the House of Representatives at not less than \$16 per day. The secretary so employed by the Speaker of the House of Representatives shall be covered by the Employee's Retirement System of Alabama from the date of employment. The secretary employed by the Lieutenant Governor shall not be covered by the retirement system.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution, H. J. R. 4, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

APPOINTMENT OF STANDING COMMITTEES

The President and Presiding Officer of the Senate, at the request of Honorable Albert Brewer, Lieutenant Governor-Elect, announced the following Standing Committees of the Senate for the quadrennium, 1967-1970, to-wit:

COMMITTEE ASSIGNMENTS

ALABAMA STATE SENATE—1967

JUDICIARY—Goodwyn, Chairman; McDermott, Vice Chairman; Albea, Bailes, Dominick, Engel, Folsom, Giles, Lindsey, Nabors, O'Bannon, Pelham, Radney, Skidmore, Torbert, Turner, Vacca.

CONSTITUTION AND CONSTITUTIONAL REVISION AND AMENDMENTS—Albea, Chairman; Dominick, Vice Chairman; Bailes, Goodwyn, Leonard, McCarley, McDermott, Morrow, Nabors, O'Bannon, Pelham, Skidmore, Turner.

FINANCE AND TAXATION—Turner, Chairman; Engel, Vice Chairman; Clark, Cooper, Folsom, Giles, Gilmore, Givhan, Lolley, Nabors, Oden, Pierce, Skidmore, Torbert, Vacca.

BANKING—Clark, Chairman; Givhan, Vice Chairman; Adams, Lindsey, Morrow, Oden, Stone, Torbert, Turner.

INSURANCE—Lolley, Chairman; Adams, Vice Chairman; Branyon, Carr, Cooper, Jackson, Leonard.

PUBLIC WELFARE & CORRECTIONAL INSTITUTIONS—Pierce, Chairman; Radney, Vice Chairman; Albea, Childs, Harris, Hawkins, Jackson, Morrow, Skidmore.

CORPORATIONS—Nabors, Chairman; Torbert, Vice Chairman; Engel, Harris, O'Bannon, Radney.

LOCAL LEGISLATION NO. 1—Folsom, Chairman; Giles, Vice Chairman; Carr, Engel, Pierce, Stone, Turner.

EDUCATION—Hawkins, Chairman; Skidmore, Vice Chairman; Adams, Albea, Bailes, Branyon, Carr, Childs, Dominick, Folsom, Giles, Harris, Jackson, Lolley, McCarley, McDermott, Nabors, O'Bannon, Pelham, Pierce, Radney.

COMMERCE & COMMON CARRIERS—Givhan, Chairman; Torbert, Vice Chairman; Adams, Branyon, Lindsey, Morrow, Pierce.

MINING & MANUFACTURING—Gilmore, Chairman; Childs, Vice Chairman; Clark, Hawkins, Leonard, Oden, Pierce, Skidmore, Vacca.

AGRICULTURE—Branyon, Chairman; Harris, Vice Chairman; Adams, Carr, Giles, Gilmore, Givhan, Jackson, Leonard, Lolley, Morrow, Oden.

MUNICIPALITIES & MUNICIPAL ORGANIZATIONS—McDermott, Chairman; Giles, Vice Chairman; Dominick, Folsom, Lindsey, Lolley, Nabors, Radney, Skidmore.

COUNTIES & COUNTY BOUNDARIES—Leonard, Chairman; Lindsey, Vice Chairman; Branyon, Gilmore, Radney.

IMMIGRATION, INDUSTRIAL RESOURCES & LABOR—Skidmore, Chairman; McCarley, Vice Chairman; Cooper, Givhan, Harris, Hawkins, Morrow, Pierce, Torbert.

PUBLIC BUILDINGS & GROUNDS—Turner, Chairman; Goodwyn, Vice Chairman; Gilmore.

PRIVILEGES AND ELECTIONS—Bailes, Chairman; Radney, Vice Chairman; Albea, Childs, Cooper, Dominick, McDermott, Nabors, O'Bannon, Pelham, Goodwyn.

PRINTING—Vacca, Chairman; Albea, Vice Chairman; Goodwyn, Hawkins, McDermott.

PUBLIC HEALTH—Cooper, Chairman; Carr, Vice Chairman; Clark, Givhan, Harris.

MILITARY—McCarley, Chairman; Branyon, Vice Chairman; Bailes, Giles, Gilmore, Lindsey, Stone.

TEMPERANCE—Adams, Chairman; Leonard, Vice Chairman; Albea, Bailes, Childs, Harris, Lolley, Oden, Stone.

ENGROSSED BILLS—Childs, Chairman; Oden, Vice Chairman; Goodwyn.

ENROLLED BILLS—Dominick, Chairman; Cooper, Vice Chairman; Givhan.

REVISION OF THE JOURNAL—O'Bannon, Chairman; Hawkins, Vice Chairman; Folsom, Giles.

FISH AND GAME—Pelham, Chairman; O'Bannon, Vice Chairman; Adams, Bailes, Folsom, Gilmore, Nabors, Stone, Torbert, Vacca.

PUBLIC ROADS AND HIGHWAYS—Oden, Chairman; Jackson, Vice Chairman; Adams, Carr, Childs, Dominick, Folsom, Harris, McCarley, McDermott, O'Bannon, Pelham, Pierce, Stone, Vacca.

FORESTRY AND CONSERVATION—Carr, Chairman; Lindsey, Vice Chairman; Branyon, Clark, Cooper, Engel, Jackson, Leonard, McCarley, Torbert.

RULES—Clark, Chairman; Morrow, Vice Chairman; Branyon, Goodwyn, Jackson, Pelham, Stone.

SEAPORTS—Engel, Chairman; Jackson, Vice Chairman; Clark, Givhan, Lolley, McCarley, Oden.

AVIATION AND TRAFFIC—Stone, Chairman; Vacca, Vice Chairman; Cooper, Engel, Leonard, Lindsey, Lolley.

LOCAL LEGISLATION NO. 2—Morrow, Chairman; Gilmore, Vice Chairman; Bailes, Childs, Dominick, Hawkins, Vacca.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring that the following be adopted as the Joint Rules of this, the Organizational Session, the Regular Session and all extraordinary sessions of this Legislature:

JOINT RULES OF THE TWO HOUSES OF THE LEGISLATURE OF ALABAMA

1967

1. Messages from one house to the other shall take precedence over all other questions.

2. When House or Senate bills are signed by the presiding officer of the House or Senate, the Clerk or Secretary, as the case may be, shall notify the other house and request the signature of the presiding officer to the same, and as soon as the message is read, the presiding officer shall immediately sign the bills in the presence of the House or Senate, as prescribed by the Constitution.

3. No local or special bill shall be introduced into either house unless the member who introduces it discloses at the time the fact that the notice required by the Constitution and laws has been given, and submits one original and two exact copies of proof thereof with the bills.

4. All bills for amendment to any section or part of the Code by reference to the section or other subdivision of the Code must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or subsection relates.

5. The Secretary or the Clerk, as the case may be, shall, when a bill is duly enrolled and signed by the presiding officers of both houses, deliver the bill to the Governor, noting thereon the day and hour and minute of delivery, and he shall make a written report to the house where the bill originated showing the number and title of the bill and time of delivery, which shall be spread upon the Journal.

6. All legislative documents, reports, or other papers which may be ordered printed by either house shall be printed in octavo form, 23 ems measure in width, in 10 point type, with one lead only, saddle stitched or wired on the side, and the title page shall have a heading in substantially the following form:

IN THE LEGISLATURE OF THE STATE OF ALABAMA
1967

Legislative Document No.

(or Calendar No., for that publication, with the name of the particular house.)

7. Bills or resolutions ordered printed by either house, or by any committee or the chairman thereof under the rules of the respective houses shall be given a printed bill number in the order received by the printer, in addition to the Senate or House number, be saddle stitched or wired on the left side, and the heading of each shall be substantially as follows:

Printed	Senate (or House)
No.	No.

IN THE LEGISLATURE OF THE STATE OF ALABAMA
1967

Jan. (or other date), Senate (or House) Bill (or resolution) No., introduced by Mr. of (County).

Read 1 time and referred to committee on (or such other action, showing status at date printed).

Jan. (or other date) copies ordered printed by the Senate (or House).

8. The printer shall print two hundred and fifty copies of each legislative document for the use of the Department of Archives and History, unless otherwise ordered by the Director.

9. The privileges of the floor of both houses are accorded the Directors and employees of the Department of Archives and History and the Legislative Reference Service in aid of the reference work required by law to be done by the Service for members of the Legislature.

10. The presiding officer of the Senate shall preside when the two Houses meet in joint sessions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 2, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 5. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of five, consisting of two members of the Senate to be appointed by the presiding officer of the Senate, and three members on the part of the House to be appointed by the Speaker of the House, be named to wait upon the Governor of Alabama and inform him of the organization of the Legislature of Alabama, and its readiness to transmit business.

BE IT FURTHER RESOLVED that a Joint Session of the House and Senate be held at 2:30 P. M., today for the purpose of hearing the message of the Honorable George C. Wallace, Governor.

AND BE IT FURTHER RESOLVED that the above Committee advise the Governor that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message and that the Committee escort the Governor to the Joint Session.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Mathews, Merrill and Pruitt.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 5, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

ADJOURNMENT

At 3:40 P. M., on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, January 11, 1967, at 10 o'clock A. M.

SECOND DAY

WEDNESDAY, JANUARY 11, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by the Reverend Canon Dilwyn W. Davies, Acting Rector, St. John's Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Cooper	Jackson	O'Bannon
Adams	Dominick	Leonard	Oden
Albea	Engel	Lindsey	Pierce
Bailes	Folsom	Lolley	Stone
Branyon	Giles	McCarley	Torbert
Carr	Gilmore	McDermott	Turner
Childs	Givhan	Morrow	Vacca
Clark	Goodwyn	Nabors	

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the First Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Albea, leaves of absence were granted Messrs. Pelham, Hawkins, Radney, Harris and Skidmore for today.

RESOLUTIONS

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 11. RESOLVED by the Senate, the House concurring, that each member of the Legislature and the Lieutenant Governor shall

be allowed and entitled to Twenty Dollars per day for expense in addition to that now allowed for expenses.

On motion of Mr. McCarley, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Turner offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Clerk of the House, and the Secretary of the Senate are each authorized to employ from time to time, as needed to implement the work of the Legislature, not more than ten (10) stenographers whose compensation, not to exceed sixteen dollars a day, shall be paid out of any funds appropriated for payment of legislative expenses.

On motion of Mr. Turner, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Adams offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. WHEREAS Alabama's soon-to-be-inaugurated Governor, the Honorable Lurleen Wallace, has recently been reported in a Gallup Poll to be the sixth most admired woman in the world; and

WHEREAS Alabamians have long been aware of this gracious lady's personal charm and abilities, and have known that behind her smiling appearances at her husband's side, was a person of substance, with character and intellect to see what needed to be done and to do it; and

WHEREAS the findings of this nation-wide poll that our First Lady, our First Lady in her own right, is held in almost as high esteem throughout the country as she is by the people of this State, is a fact which is indeed gratifying and one which brings much credit to Alabama; and

WHEREAS Mrs. Wallace is the first lady Governor of Alabama and only the third woman in this country ever to be so elected, she won her election by the largest number of votes ever cast in the history of this State, leaving no doubt as to her place in the hearts and minds of her constituents; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend Governor Lurleen Wallace on the signal honor which she has won in being named the "Sixth Most Admired Woman in the World," we take much pride in such designation which reflects credit to our State, and assure her of our confidence in her and her administration.

On motion of Mr. Adams, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 3. Providing for an interim committee to study current practices and professional recommendations relating to the identification, classification, diagnosis, treatment, apprehension, supervision and incarceration of deviate sex offenders.

And said Resolution was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 9. Relative to Lieutenant-Governor James B. Allen, and wishing him long and continued success in his every endeavor.

Also:

S. J. R. 8. Relative to Joint Rules of the two Houses of the Legislature of Alabama for the ensuing quadrennium.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has concurred in and adopted the following Senate Joint Resolution and returns same he rewith to the Senate:

S. J. R. 2. Relative to Creating an Interim Committee on Finance and Taxation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Senate concurred in and adopted the following House amendment to the Resolution, S. J. R. 2, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. J. R. 2

Amend said resolution by adding in paragraph 2 line 4 following the words "Speaker of the House" the words "& Speaker Pro-Tem".

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Pennington, McLain, Jones, Snodgrass and Laxson:

HOUSE JOINT RESOLUTION NO. 8

WHEREAS, Robert Kirk (Buster) Bell passed away on December 31, 1966, after a long and distinguished career as a practicing attorney, businessman, civic and political leader, both in his adopted County of Madison and throughout the State of Alabama; and,

WHEREAS, Mr. Bell was formerly President of the Madison County Bar Association, the Alabama Junior Bar Association, the Huntsville Industrial Expansion Committee, the Huntsville-Madison County Chamber of Commerce, the Alabama Wildlife Federation, and was a past State Commander of the Veterans of Foreign Wars, and served as State Bar Commissioner from the Twenty-third Judicial Circuit; and,

WHEREAS, Mr. Bell was formerly a member of the Alabama National Guard from which he retired as a Lieutenant Colonel, and formerly an Assistant Staff Judge Advocate during World War II, having been awarded the Bronze Star medal with Oak Leaf Cluster and Meritorious Commendation Medal; and,

WHEREAS, Mr. Bell was formerly a member of the Alabama Democratic Executive Committee and a former candidate for governor of Alabama, and a member of numerous business, professional, civic, fraternal and honorary organizations, and,

WHEREAS, Mr. Bell had traveled throughout the world and wherever he had gone had been an effective and dedicated spokesman for the State of Alabama, and through his warm and friendly manner had won many friends for the State of Alabama and himself throughout our country and the world; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we mourn the death of a great Alabamian, Robert K. Bell, and extend our sincere sympathy to his family and many friends.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to the surviving members of the family of the deceased.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Giles, the Rules were suspended and the Resolution, H. J. R. 8, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the two Houses meet in joint convention in the Hall of the House of Representatives at 11:30 A. M., January 11, 1967, for the purpose of witnessing the opening and publishing of the returns of the election of executive officers of the State of Alabama at the general election held on November 8, 1966, as required by Section 115 of the Constitution of Alabama.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

COMMITTEE APPOINTMENTS ANNOUNCED

The President and Presiding Officer of the Senate announced the appointments of Messrs. Gilmore and Stone as members of the Capitol East Wing Interim Committee, organized under the provisions of H. J. R. 144, 1965 Regular Session, to replace Honorable Neil Metcalf and George Hawkins, resigned.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 11. Relative to expense allowance for the members of the Legislature and the Lieutenant Governor.

Also:

S. J. R. 12. Relative to compensation for (10) stenographers to be employed from time to time by the Secretary of the Senate and the Clerk of the House.

JOHN W. PEMBERTON,
Clerk.

JOINT SESSION

The hour of 11:00 A. M. having arrived, on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing an address by the Honorable Ben S. Gilmer.

The Joint Session was called to order by the President and Presiding Officer of the Senate, who directed the Secretary of the Senate to call the roll of the Senate, when the following members answered to their names:

Messrs.:	Cooper	Jackson	O'Bannon
Adams	Dominick	Lindsey	Oden
Albea	Engel	Lolley	Stone
Branyon	Folsom	McCarley	Torbert
Carr	Giles	McDermott	Turner
Childs	Gilmore	Nabors	Vacca
Clark			

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The Speaker of the House then directed the Clerk of the House to call the roll of the House of Representatives, when the following members of the House answered to their names:

Messrs.:	Downing	Jones	Perloff
Adwell	Drake	Kilgore	Pruitt
Agee	Edington	Laxson	Sessions
Bank	Ellis	Lemley	Shumate
Bassett	Fine	Lybrand	Slate
Beck	Foshee	Malone	Smith (C)
Berryman (R)	Gafford	Manley	Smith (P)
Berryman (W)	Garrett	Marr	Snell
Blanton	Gloor	Mathews	Snodgrass
Bowers	Graham	Mays	Springer
Brannan	Grayson	McCorquodale	Starnes
Brown	Hain	McDonald	Steagall
Burgess	Hardin	McElhaney	Stembridge
Burgreen	Harper	McLain	Stubbs
Cameron	Harris	Meade	Thomas
Cherner	Haygood	Meeks	Tuck
Collier	Headley	Melton	Turnham
Collins (C)	Higginbotham	Merrill	Waggoner
Collins (W)	Hill	Money	Watkins
Cook (Coffee)	Hobbie	Neville	Weeks
Cook (Jefferson)	Hogan	Owen (Baldwin)	Williams
Crane	Holman	Owens (W)	Wood
Crawford	House	Owens (W.E.)	Wright
Culver	Jackson (F)	Paulk	Yeilding
Dill	Jackson (T)	Pennington	Young
Dobbs			

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Thereupon, Honorable Ben S. Gilmer was escorted to his chair, was introduced by His Excellency, Governor George C. Wallace, and delivered his address.

At the conclusion of the address by Honorable Ben S. Gilmer, the hour of 11:30 A. M. having arrived, and in accordance with joint resolution heretofore adopted, the President of the Senate announced that there was a quorum of the Legislature of Alabama present, and that the purpose of the Joint Session was to open the returns of, count, ascertain and proclaim the results of the elections held on the 8th day of November 1966, for executive officers of the State of Alabama.

The Speaker of the House of Representatives then proceeded to open and publish in the presence of the Legislature of Alabama, and in the presence of a majority of the members of the Legislature of Alabama in joint convention assembled, the returns of the election held on the 8th day of November, 1966, for Executive Officers for the State of Alabama, to-wit: For Governor, Lieutenant Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, Superintendent of Education and Commissioner of Agriculture and Industries.

(See House Journal for Tabulation of Votes)

The Speaker of the House, Honorable Rankin Fite, then declared that Honorable Lurleen B. Wallace, Honorable Albert Brewer, Honorable MacDonald Gallion, Honorable Melba Till Allen, Honorable Mabel Amos, Honorable Agnes Baggett, Honorable Ernest Stone, and Honorable Richard Beard, Sr., were duly and constitutionally elected to the office of Governor, Lieutenant Governor, Attorney General, State Auditor, Secretary of State, State Treasurer, Superintendent of Education and Commissioner of Agriculture and Industries, respectively, for the term prescribed by law.

The purposes of the Joint Session having been accomplished, the Senate retired to its chamber.

The Senate was called to order by Honorable James B. Allen, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Cooper	Jackson	O'Bannon
Adams	Dominick	Leonard	Oden
Albea	Engel	Lindsey	Pierce
Bailes	Folsom	Lolley	Stone
Branyon	Giles	McCarley	Torbert
Carr	Gilmore	McDermott	Turner
Childs	Givhan	Morrow	Vacca
Clark	Goodwyn	Nabors	

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MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 4. Authorizing the Lieutenant Governor and the Speaker of the House to employ full time secretaries.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 7. Inviting Mr. Ben S. Gilmer to address a joint session of the Legislature.

Also:

S. J. R. 11. Allowing for each member of the Legislature and the Lieutenant Governor twenty dollars per day for expense in addition to that now allowed.

Also:

S. J. R. 12. Authorizing the Clerk of the House and the Secretary of the Senate to employ as needed ten stenographers.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTION

Mr. Goodwyn offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. WHEREAS this body is determined to do all in its power to speed up the legislative process and dispose of legislative business as rapidly as circumstances will permit; and

WHEREAS the most expeditious way of doing this is to meet as many days as possible each week; now therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That it is the intention of the Legislature while in session to meet on at least three days every week and four days when that is possible.

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution was adopted by the Senate.

ADJOURNMENT

At 1 o'clock P. M., on motion of Mr. Engel, and in accordance with joint resolution heretofore adopted, the Senate adjourned until Tuesday, January 17, 1967, at 10 o'clock A. M.

EIGHTH DAY

TUESDAY, JANUARY 17, 1967

(The Senate was not in session on the Third, Fourth, Fifth, Sixth and Seventh Days.)

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend James F. Walters, Associate Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON

REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Second Day was approved by the Senate.

INTERIM COMMITTEE APPOINTMENTS ANNOUNCED

In accordance with the provisions of Senate Joint Resolution 3, heretofore adopted, the President and Presiding Officer of the Senate named as committee on part of the Senate Messrs. Morrow, Childs and Hawkins.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a Committee of two members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to ascertain from Her Excellency, Governor Lurleen B. Wallace, if she desires to address a joint session of the Legislature and if she does desire to address a joint session, to further ascertain the time most suitable to her for such address.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Adams and O'Bannon.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 17. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 11 o'clock today for the purpose of hearing the message of the Honorable Lurleen B. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of two from the Senate, to be named by the Presiding Officer of the Senate, and a committee of three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise her that the two Houses will meet in joint session at the hour named above for the purpose of receiving her message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Adams and O'Bannon.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 13. Relative to commending Governor Lurleen Wallace on the signal honor which she has won in being named the "Sixth Most Admired Woman in the World".

Also:

S. J. R. 14. Relative to joint convention in the Hall of the House of Representatives January 11, 1967, for the purpose of witnessing the opening and publishing the returns of the election of executive officers.

Also:

S. J. R. 3. Relative to providing for an interim committee to study current practices and professional recommendations relating to the identification, classification, diagnosis, treatment, apprehension, supervision and incarceration of deviate sex offenders.

And the Speaker of the House named as a Committee on the part of the House Messrs. Bowers, Cook (Jefferson) and Jackson (Jefferson).

Also:

S. J. R. 15. Relative to the Legislature meeting at least three days a week every week and four days when possible, while in session.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 2. Creating a Joint Interim Committee on Finance and Taxation.

Also:

S. J. R. 8. Adopting the Joint Rules of the two Houses of the Legislature.

Also:

S. J. R. 9. Expressing gratitude to Lieutenant Governor James B. Allen for his friendship, leadership, and devotion in service to the State of Alabama.

Also:

S. J. R. 4. Relating to sine die adjournment.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 8. Mourning the death of the Honorable Robert Kirk (Buster) Bell.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing message from the House.

RESOLUTIONS

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 18. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be created and established a joint interim committee composed of two members of the Senate appointed by the President of the Senate and three members of the House appointed by the Speaker. The committee shall make such inquiries and conduct surveys and studies as may be necessary to determine the need for and the feasibility of establishing in Alabama a school or college of optometry to be operated in connection with an existing state college or university.

The members of the committee shall elect a chairman and vice chairman from among their number. The committee shall meet on call of the chairman, at such times and places as he may designate. The committee members shall not be entitled to pay or expenses for performance of their duties. The Secretary of the Senate and Clerk of the House shall provide the committee with such secretarial and clerical help as may be required by the committee.

The committee shall make a report of their findings, conclusions and recommendations to each house of the Legislature not later than the 5th legislative day of the 1967 regular session, and thereupon the committee shall be discharged and dissolved.

On motion of Mr. Clark, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 10. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn sine die.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 10, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Messrs. McDermott, Goodwyn and Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. WHEREAS, on Sunday, February 26, 1967, the Montgomery Fourth Degree Assembly of the Knights of Columbus will hold its first exemplification; and

WHEREAS, Monsignor Malcolm J. Rafferty, Pastor of St. Andrew's Church in Montgomery will be honored at the testimonial banquet to be held on that occasion; and

WHEREAS, these events mark an auspicious milestone for both the Montgomery Fourth Degree Assembly and for Monsignor Rafferty, who has devoted many years of untiring effort to civic and youth projects not only in Montgomery, but also in Mobile, Birmingham and Huntsville; he is presently serving on the Mayor's Parks and Recreation Board in Montgomery; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Montgomery Fourth Degree Assembly of the Knights of Columbus and Monsignor Malcolm J. Rafferty be commended on their accomplishments and these forthcoming events.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Montgomery Assembly and to Monsignor Rafferty.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Blanton:

H. J. R. 11. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby laments the death of a distinguished former member of each House, hereof, The Honorable John Whitfield Lapsley, who represented Dallas County in the House of Representatives from 1915-1923 and served as the Senator from the Thirtieth Senatorial District from 1931-1935. Mr. Lapsley was an able lawyer, a civic, political and religious leader, known and honored not only in Dallas County but throughout Alabama. Mr. Lapsley gave unstintingly of his time and his talents for the betterment of his profession, his community and his state. Among the many services he rendered are the following. He was an active member of the Dallas County Bar Association, having served as its president, and also of the Alabama Bar and of the American Bar Association. He was widely regarded as an expert on taxation and took a particularly active part in the work of the Tax Committee of the American Bar Association. He served as legal counsel to the State Department of Revenue and as the Tax Counsel for the State of Alabama during the administration of Governor Frank M. Dixon. He worked diligently for the betterment of Dallas County and its environs as a member of the Selma and Dallas County Chamber of Commerce, The Coosa-River Development Association, The Kiwanis Club, and many other civic improvement groups. He was a trustee and elder of the First Presbyterian Church of Selma. He took a lively interest in cul-

tural pursuits, was particularly interested in preserving the history of this State, and aided notably in the establishment and served as a trustee of the Sturdivant Museum Association, which has restored and maintains as a shrine, open to the public, a magnificent ante-bellum home in Selma.

BE IT FURTHER RESOLVED That the Legislature acknowledges with grateful appreciation the many services rendered to the State of Alabama by Mr. Lapsley and extends heartfelt sympathy to Mrs. Lapsley and the other surviving members of Mr. Lapsley's family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Rules were suspended and the Resolution, H. J. R. 11, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

JOINT SESSION

The hour of 11 o'clock A. M. having arrived, on motion of Mr. Goodwyn and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the message of Her Excellency, the Governor, Honorable Lurleen B. Wallace.

The Session was called to order by the President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, Honorable Lurleen B. Wallace, Governor of the State of Alabama, was escorted to the chair and delivered her address to the Legislature of Alabama.

(See House Journal for Governor's Message)

The purpose of the Joint Session having been accomplished, the Senate retired to its chamber and was called to order by Honorable Albert Brewer, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 18. Relative to creating and establishing a joint interim committee to conduct surveys and studies for the establishment of a school or college of optometry.

Also:

S. J. R. 19. Relative to honoring Monsignor Malcolm J. Rafferty, Pastor of St. Andrew's Church in Montgomery at the Montgomery Fourth Degree Assembly of the Knights of Columbus.

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that Senate Joint Resolution 11, heretofore adopted by the Legislature, is now rescinded, and

BE IT FURTHER RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that each member of the Legislature and the Lieutenant Governor shall be allowed and entitled to Ten Dollars per day for expense in addition to that now allowed for expenses.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

Yeas 29; Nays 5.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors
Adams	Engel	Jackson	Pelham
Albea	Folsom	Leonard	Radney
Bailes	Giles	Lindsey	Skidmore
Carr	Gilmore	Lolley	Stone
Childs	Givhan	McDermott	Turner
Clark	Goodwyn	Morrow	Vacca
Cooper	Harris		

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Nays:

Messrs.:	O'Bannon	Pierce	Torbert
Branyon	Oden		

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Owen (Baldwin):

H. J. R. 12. WHEREAS the City of Montgomery and its people have again extended their accustomed Southern hospitality and generosity of spirit upon the occasion of the inauguration of Alabama's Governor Lurleen B. Wallace as to add much cordiality and personal warmth to this most auspicious and historic date; and

WHEREAS members of the city police force, state troopers and national guardsmen handled vehicular and pedestrian traffic with courteous efficiency along the lengthy parade route and throughout this city to which more than an additional hundred thousand people were assembled; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to thank the people of Montgomery for the many courtesies and warm hospitality which were extended to the visitors to the Capital City and commend the city police force, state troopers and national guardsmen for the efficient manner in which they performed their services.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 12, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Mr. Oden offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That House Joint Resolution number eleven which has been adopted by both Houses shall be named, designated and known as the Blanton, Hain and Givhan Resolution.

On motion of Mr. Oden, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 9. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Joint Session of the House and Senate be held at 11:00 o'clock today for the purpose of hearing the message of the Honorable Lurleen Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House to be named by the Speaker of the House and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise her that the two Houses will meet in joint session at the hour named above for the purpose of receiving her message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the Speaker of the House named as a Committee on the part of the House Messrs. Mathews, Merrill and Pruitt.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 9, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Meeks, Brown, Culver, Thomas, Bank, Watkins:

H. J. R. 13. WHEREAS the University of Alabama football team is the only major football team in the country with an unbeaten and untied record for the 1966 regular season, which record was climaxed by Alabama's glorious victory over Nebraska in the Sugar Bowl by the decisive score of 34 to 7; and

WHEREAS the Southeastern Conference is the strongest football conference in the nation which is evidenced by the great number of teams in the conference invited to play in post season games, most of which were won by member teams in this conference; and

WHEREAS the Crimson Tide was victorious over every team in this conference with which a game was scheduled as well as over other teams it played, while the teams rated No. 1 and No. 2 playing in weaker conferences could do no better than tie each other; and

WHEREAS Coach Paul "Bear" Bryant's superbly coached and talented players executed their plays and maneuvered the ball with such skill and finesse as to bring great pleasure to all lovers of this sport, and particularly to Alabamians; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the University of Alabama football team is, and by all rights ought to be, the No. 1 Football Team in this country and Coach Bryant is the No. 1 Coach.

BE IT FURTHER RESOLVED That we congratulate Coach Bryant and each member of the team on the superb performance and high degree of sportsmanship displayed in their outstanding victory in the Sugar Bowl which reflects great credit and honor to the State of Alabama and its people.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 13, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Cherner, Bowers, Cook (Jefferson), Adwell, House:

H. J. R. 14. WHEREAS, traditionally the National Guard has provided this Nation's first line of defense in times of emergency; and

WHEREAS, many units of the National Guard have frequently responded in a most admirable manner to calls to quell internal disorders and maintain peace and good order here at home in these United States and, on short notice, have been federalized and formed a big part of this Nation's first contingent of the armed forces sent to foreign lands in time of war; and

WHEREAS, the promptness and efficiency with which the citizen-soldiers who form the National Guard have always responded merits the heartfelt appreciation of their fellow citizens; and

WHEREAS, instead of bestowing upon the National Guard the praises rightfully earned by it, Senator Robert Kennedy of New York has recently scored the Guard as inefficient and untrained; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature hereby commends the officers and members of the National Guard, and particularly the Alabama Division thereof, for their loyalty and efficiency whenever called on to protect this Nation, either at home or abroad.

BE IT FURTHER RESOLVED, That we resent the detrimental remarks about the National Guard, which have been recently made by Senator Kennedy, and hereby assert that such remarks are completely refuted by the long-standing record of the speed, skill and efficiency with which numerous units of the Guard have always responded in times of this Country's greatest need.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Rules were suspended and the Resolution, H. J. R. 14, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 11. Expressing regret upon the death of The Honorable John Whitfield Lapsley of Dallas County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions, with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 3. Providing for an interim committee to study current recommendations in regard to sex offenders.

Also:

S. J. R. 13. Commending Governor Lurleen Wallace on being named "Sixth Most Admired Woman in the World".

Also:

S. J. R. 14. Requesting the two Houses to meet in joint convention for the purpose of the opening and publishing of the returns of the election.

Also:

S. J. R. 15. Relating to the Legislature meeting on at least three days a week and four days when possible.

Also:

S. J. R. 18. Establishing a joint interim committee to study and determine the need for a school or college of optometry in Alabama.

Also:

S. J. R. 19. Commending the Knights of Columbus and Monsignor Malcolm J. Rafferty on their accomplishments.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 21. Relative to naming House Joint Resolution 11 the Blanton, Hain and Givhan Resolution.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I hereby transmit to you a message from the Governor, returning Senate Joint Resolution 11, without the Governor's approval.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

January 11, 1967

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Joint Resolution 11, without my signature and approval.

The Constitution of Alabama, Amendment 57 thereof, provides that no business can be transacted at the organizational session of the Legislature, except the organization of the Legislature, the election of officers and the appointment of standing committees of the Senate and House of Representatives for the ensuing four years, and the opening and publication of the returns and the ascertainment and declaration of the results of the election of state officers.

Regardless of this constitutional inhibition, however, I nevertheless disapprove of the resolution.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

Mr. McDermott moved that the Resolution, S. J. R. 11, set out in the foregoing Message from His Excellency, the Governor, be adopted, the executive veto to the contrary notwithstanding, which motion was lost.

Yeas 16; Nays 19.

Yeas:

Messrs.:	Folsom	McCarley	O'Bannon
Bailes	Harris	McDermott	Pelham
Carr	Leonard	Morrow	Radney
Childs	Lindsey	Nabors	Skidmore
Dominick			

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Nays:

Messrs.:	Cooper	Goodwyn	Pierce
Adams	Engel	Hawkins	Stone
Albea	Giles	Jackson	Torbert
Branyon	Gilmore	Lolley	Turner
Clark	Givhan	Oden	Vacca

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RESOLUTIONS

Mr. Nabors offered the following Senate Joint Resolution, to-wit:

S. J. R. 22. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That each member of the legislature shall be allowed expenses, other than actual expenses of traveling, in the amount of \$300 per month during his term, which allowance shall be payable from legislative funds at the end of each month and shall be in lieu of any and all other expense allowances heretofore provided, except the mileage allowance provided for in Amendment 57.

Which was read and referred to the Standing Committee on Rules.

Mr. Turner offered the following Senate Joint Resolution, to-wit:

S. J. R. 23. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That there shall be created and established a joint interim committee consisting of four members of the House and three members of the Senate, appointed by the respective presiding officers of the two houses. The members of the committee shall select a chairman and vice chairman from among their own number. The committee shall make a full inquiry into the needs of the individual members of the two houses in relation to salaries, pay raises and expense allowances. A report of their findings, conclusions, and recommendations shall be made to the two houses by the first Tuesday in May, 1967.

RESOLVED FURTHER, That the members of the committee shall meet at such times and places as the committee chairman may designate.

Which was read and referred to the Standing Committee on Rules.

Mr. McCarley offered the following Senate Resolution, to-wit:

S. R. 24. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, or a majority of them, are respectfully requested to give this body their written opinions on the following important constitutional question which has arisen in connection with the adoption by the two houses at the organizational session of the Legislature of Senate Joint Resolution No. 11, a true copy of which resolution shall be forwarded to the Clerk of the Supreme Court by the Senate's Secretary:

Question: Does the adoption of this resolution fixing the expense allowances of members of the Legislature constitute a transaction of business which is prohibited by Constitutional Amendment LVII (1 Code of Alabama, Recompiled 1958, p. 385)?

RESOLVED ALSO, That the Secretary of the Senate is directed to deliver forthwith four copies of this resolution to the Clerk of the Supreme Court.

Which was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 21. Naming H. J. R. 11 the Blanton, Hain and Givhan Resolution.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 9. Relative to appointing a Committee from both Houses to inform the Governor of a Joint Session to be held at 11:00 A. M. for the purpose of hearing the Message of Honorable Lurleen B. Wallace, Governor.

Also:

H. J. R. 12. Expressing appreciation to the City of Montgomery and its people for the many courtesies and warm hospitality upon the occasion of the inauguration of Alabama's Governor Lurleen B. Wallace.

Also:

H. J. R. 13. Congratulating Coach Paul "Bear" Bryant and the University of Alabama football team on their superb performance throughout the 1966 football season.

Also:

H. J. R. 14. Commending the officers and members of the National Guard, and particularly the Alabama Guard, for their loyalty and efficiency.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate

Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 7 Delivered to the Governor January 11, 1967, at 2:20 P. M.

S. J. R. 11 Delivered to the Governor January 11, 1967, at 2:20 P. M.

S. J. R. 12 Delivered to the Governor January 11, 1967, at 2:20 P. M.

S. J. R. 2 Delivered to the Governor January 17, 1967, at 11:00 A. M.

S. J. R. 8 Delivered to the Governor January 17, 1967, at 11:00 A. M.

S. J. R. 9 Delivered to the Governor January 17, 1967, at 11:00 A. M.

S. J. R. 4 Delivered to the Governor January 17, 1967, at 11:00 A. M.

S. J. R. 3 Delivered to the Governor January 17, 1967, at 1:50 P. M.

S. J. R. 13 Delivered to the Governor January 17, 1967, at 1:50 P. M.

S. J. R. 14 Delivered to the Governor January 17, 1967, at 1:50 P. M.

S. J. R. 15 Delivered to the Governor January 17, 1967, at 1:50 P. M.

S. J. R. 18 Delivered to the Governor January 17, 1967, at 1:50 P. M.

S. J. R. 19 Delivered to the Governor January 17, 1967, at 1:50 P. M.

S. J. R. 21 Delivered to the Governor January 17, 1967, at 1:50 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighth Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Eighth Day was approved by the Senate.

ADJOURNMENT

At 1:52 P. M., on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

ALBERT BREWER,
Lieutenant Governor and President and
Presiding Officer of the Senate.

ATTEST:

McDOWELL LEE,
Secretary of Senate

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JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION
OF 1967

HELD IN THE CITY OF MONTGOMERY
COMMENCING THURSDAY, MARCH 2, 1967



WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

Brown Printing Company
Printers—Binders
Montgomery, Alabama

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State of Alabama

**JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION OF 1967**

**FIRST LEGISLATIVE DAY
THURSDAY, MARCH 2, 1967**

BE IT REMEMBERED, that on the 27th day of February, A. D., 1967, Lurleen B. Wallace, Governor of the State of Alabama, issued her proclamation in words and figures as follows, to-wit:

**A PROCLAMATION
BY THE
GOVERNOR**

WHEREAS, there presently exists in the State of Alabama a critical need for additional money for the purpose of continuing the highways and bridge building program presently underway throughout the State, and

WHEREAS, this need is so urgent that it would be unwise to await the convening of the Legislature of Alabama in Regular Session, and

WHEREAS, there are other pressing and urgent needs within the State which need to be met at this time, and

WHEREAS, the public interest and the public good require the convening of the Legislature in an extraordinary session:

NOW, THEREFORE, I, Lurleen B. Wallace, as Governor of Alabama, under the authority vested in me by the Constitution of Alabama, do hereby convene the Legislature at the seat of the government, in the City of Montgomery, Alabama, at six thirty p. m. the 2nd day of March, 1967, in special session, and specifically designate the following matters concerning which I deem action to be necessary.

1. Legislation to authorize the issuance, by existing or newly authorized public corporations, or otherwise, of bonds, or other securities for the purpose of constructing highways and bridges and all activities connected therewith, and to raise revenue and to appropriate and pledge funds to pay the principal of and the interest on such bonds or other securities and to raise revenue and appropriate funds for other highway and bridge purposes, whether in the form of new legislation or the modification or amendment of existing legislation, and to provide a program for road and street purposes of the counties and municipalities of the State of Alabama.

2. Legislation providing for appropriations for the operation, maintenance, and support of the Hospital Division of the Alabama Department of Mental Health.

3. Legislation providing for appropriations for capital outlay purposes to the Alabama Department of Mental Health.

4. Legislation to provide that all contracts of whatever nature for labor, services, or work, or for the purchase or lease of materials, equipment, supplies, or other personal property, involving five hundred dollars (\$500.00) or more, made by or on behalf of any city or county governing body or county or city Board of Education, trade schools or junior colleges, and institutions under the control of the State Board of Education, shall, except for contracts for which competitive bidding is not required under present State law, be let by free and open competitive bidding, on sealed bids, to the lowest responsible bidder.

5. Legislation to provide for the deposit of surplus State funds in banks or banking institutions on time deposits, open accounts and to provide for the payment of interest on such deposits made with such banks or banking institutions and to provide for the appropriation of the earnings and income from such deposits.

6. Legislation to amend existing law in order to authorize the "Alabama Corrections Institutions Finance Authority" to issue bonds for the purpose of providing funds for the acquisition of sites, for the construction, reconstruction, alteration and improvement of facilities of correctional institutions, for the procurement of equipment therefor, and for the payment of obligations incurred or temporary loans made for any of said purposes.

7. The attention of the Legislature is called to the provisions of the Uniform Time Act of 1966, Public Law 89-387, which provides that the State of Alabama will come under its provisions effective April 1, 1967, unless some action is taken to exempt the State from its provisions.

8. Legislation to make adjustments in the maximum salary scale for merit system employees and to appropriate funds to the various State departments to provide for a cost-of-living increase to merit system employees.

9. Local legislation.

IN WITNESS whereof I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, Alabama, on this the 27th day of February, 1967.

LURLEEN B. WALLACE,
Governor.

MABEL S. AMOS,
Secretary of State

Pursuant to such proclamation, at the hour of 6:30 o'clock P. M., on Thursday, March 2, 1967, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by the Honorable Albert Brewer, Lieutenant Governor and President and Presiding Officer of the Senate. McDowell Lee, Secretary, was present and acted as such according to law.

PRAYER

The Session was opened with prayer by the Reverend J. Eade Anderson, Minister, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins	Oden	

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LEAVE OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Jackson for today.

MESSAGE FROM THE HOUSE

Mr. President:

I have been requested to advise the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 1. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a Committee of two members of the Senate, to be named by the President and Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED That said Committee ascertain from Her Excellency if she desires to address a Joint Session of the Legislature and if she does so desire, to further ascertain the time most suitable to her for such address.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. McCarley and Folsom.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a Joint Session of the Legislature be held at 7:30 o'clock tonight for the purpose of hearing the message of the Honorable Lurleen B. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED That a Committee of two members from the Senate, to be named by the President and Presiding Officer of the Senate, and three members from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise her that the two Houses will meet in Joint Session at the hour

named above for the purpose of receiving her message, and that said Committee also serve as a Committee to escort the Governor to the Hall of the House of Representatives for the Joint Session.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. McCarley and Folsom.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Folsom:

S. 1. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Be It Enacted by the Legislature of Alabama:

Section 1. No constable within the boundaries of Cullman County shall be authorized to execute any service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public with powers of justices of the peace; nor shall any constable in such county be authorized to make an arrest unless the failure to make such arrest may be reasonably expected to result in bodily harm and injury or death.

Section 2. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry F. Arnold, who, being by me first duly sworn deposes and says that during the times herein mentioned he was publisher of the CULLMAN TRIBUNE, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 5, January 12, January 19, and January 26, all in the year 1967.

HENRY F. ARNOLD.

Sworn to and subscribed before me 30th January, 1967.

FRED W. ABT,
Notary Public.

By Mr. Folsom:

S. 2. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. All criminal and quasi-criminal jurisdiction of whatever kind, whether final or for the purpose of binding over to the grand jury, is hereby withdrawn and taken away from justices of the peace and notaries public with powers of justices of the peace within the limits of Cullman County. All criminal and quasi-criminal jurisdiction heretofore vested in and exercised by justices of the peace and notaries with powers of justices of the peace within the boundaries of the county is hereby vested in the Cullman County Intermediate Court. Nothing in this Act shall affect any case or proceeding pending on the date this Act becomes effective.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me Fred W. Abt a NOTARY PUBLIC in and for said County and State, personally appeared Henry Frank Arnold, publisher of THE CULLMAN TRIBUNE, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: January 5, 12, 19, 26, 1967.

HENRY F. ARNOLD,
Publisher.

Sworn to and subscribed before me this, the 30th day of January 1967.

FRED W. ABT,
Notary Public.

By Mr. Folsom:

S. 3. To make an appropriation from the state treasury for the repair, replacement, or reconstruction of a hangar at the Cullman County airport.

Committee on Finance and Taxation.

By Mr. Nabors:

S. 4. To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof

Be It Enacted by the Legislature of Alabama:

SECTION I: The boundaries of the City of Rainbow City, in Etowah County, Alabama, are hereby altered rearranged and extended so as to include within the corporate limits of such city, in addition to the territory included in the present corporate limits of such City, the following described territory:

To describe an addition to the Town of Rainbow City, Alabama; begin at the N. W. corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 31, Township 12 South, Range 6 East; thence run South along the West line of said forty to the S. E. corner thereof; Thence run East and along the South line of said Section 31 to the Southeast corner of said section; Thence run South and along the Westerly line of Section 5, lying North or West of Coosa

River, Township 13 South, Range 6 East; to the Northwesterly bank of said Coosa River; Thence run Northeasterly and along the said bank of Coosa River to the Westerly right-of-way line of State Highway No. 77; Thence run Northwesterly and along the right-of-way line of said Highway line of said Highway to the intersection with the North line of the SW $\frac{1}{4}$ —NE $\frac{1}{4}$, Section 32, Township 12 South, Range 6 East; Thence run West and along the North line of the SW $\frac{1}{4}$ —NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ —NW $\frac{1}{4}$ of said Section 32 to the N. W. corner of said forty; Thence run South to the S. E. corner of the SE $\frac{1}{4}$ —NW $\frac{1}{4}$ in said Section 32; Thence run West to the S. W. corner of the NW $\frac{1}{4}$ —SW $\frac{1}{4}$ in said Section 32; Thence run South to the S. W. corner of the NW $\frac{1}{4}$ —SW $\frac{1}{4}$ in said Section 32; Thence run West and along the North line of the SE $\frac{1}{4}$ —SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ —SE $\frac{1}{4}$ to the point of beginning. Containing all of the following forties, SW $\frac{1}{4}$ —SE $\frac{1}{4}$ and SE $\frac{1}{4}$ —SE $\frac{1}{4}$, Section 31, Township 12, South, Range 6 East; all of the SW quarter (160 acres) and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 32, Township 12, Range 6 East; Portions of the following forties, SW $\frac{1}{4}$ —NE $\frac{1}{4}$, NW $\frac{1}{4}$ —SE $\frac{1}{4}$, SW $\frac{1}{4}$ —SE $\frac{1}{4}$, and East part of the S. E. part of Section 32 West or North of the Coosa River, Township 12 South, Range 6 East and all of the Fractional Section 5, Township 13 South, Range 6 East, lying West or North of the Coosa River.

SECTION II: This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said a fidavit notice of the a bill to be enacted which notice was printed in The Gadsden Times in its regularly circulated editions on Mar. 5, 12-19, and 26 1966, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 19 day of Jan., 1967.

I. B. SCRUGGS,

Subscribed and sworn to before me on this the 19 day of Jan., 1967.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

By Mr. Albea:

S. 5. To create and establish the Alabama Constitution Revision Commission to study and make recommendations for the revision of the Constitution of Alabama; to provide for the membership of the commission, the manner of its appointment and its duration; to prescribe its duties and authority; to provide for the payment of its expenses; and to make an appropriation from the state treasury.

Committee on Constitution and Constitutional
Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Albea:

S. 6. Relating to Calhoun County; providing a purchasing agent for the county; regulating the acquisition and disposal of supplies, materials, equipment, and contractual services for Calhoun County; prescribing penalties for violations of the Act.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama that application will be made for enactment of a local law by the Legislature of Alabama which will be in substance as follows:

An ACT to provide a purchasing agent for Calhoun County to make all purchases and contracts for services with certain exceptions for the county and, subject to the approval of the county governing body, to promulgate rules and regulations for the acquisition of such purchases and the disposal of surplus and obsolete personal property of the county; to require such agent to make bond and to provide the conditions thereof; to authorize the county governing body to designate a county officer to serve as such agent without additional compensation; to require such agent to obtain at least three written sealed, competitive bids on all purchases of three hundred dollars (\$300) or more and to make purchases of less than three hundred dollars (\$300) either on the basis of sealed bids or in the open market and to prohibit the adjustment of the quantity of the purchase for purposes of evading this requirement; to require the purchase to be awarded to the lowest responsible bidder and to authorize the rejection of all bids under certain circumstances and to provide for purchases through the division of purchases and stores of the state finance department; to require the recording of certain information pertinent to bids to be open to public inspection; to provide for the manner of making emergency purchases and to define terms; to give preference to commodities produced or sold in Calhoun County; to provide that violations of certain provisions shall constitute a misdemeanor and to prescribe penalties therefor; to provide for the severability of the provisions of this Act and to make the Act effective immediately upon its passage and approval, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 30, February 6, February 13, and February 20, all in the year 1967.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me February 21, 1967.

ALMUS J. THORNTON,
Notary Public.

By Mr. Branyon:

S. 7. To amend further Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Committee on Local Legislation No. 1.

By Messrs. Skidmore, Turner, Engel, Cooper, Leonard, Albea, McCarley, Branyon, Folsom, Goodwyn, Clark, Vacca, Giles, Carr, Hawkins, Childs, Bailes, Morrow and Torbert:

S. 8. To make an appropriation to the State Department of Mental Health.

Committee on Finance and Taxation.

By Messrs. Skidmore, Turner, Engel, Cooper, Leonard, Albea, McCarley, Torbert, Branyon, Folsom, Goodwyn, Clark, Vacca, Giles, Carr, Hawkins, Childs, Bailes, Morrow, Nabors and Radney:

S. 9. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

Committee on Finance and Taxation.

By Mr. Morrow:

S. 10. To provide further for deposit of state funds in state depositories and for collection of interest thereon.

Committee on Banking.

By Mr. Givhan:

S. 11. To make an appropriation for capital outlay for the Alabama Pesticide Residue Laboratory of the Department of Agriculture and Industries.

Committee on Finance and Taxation.

By Mr. Radney:

S. 12. Relating to Tallapoosa County: To create and establish in Tallapoosa County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Tallapoosa County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Tallapoosa County; and providing for the transfer and trial of cases pending in the County Court of Tallapoosa County and in the Juvenile Court of Tallapoosa County, at the time this act takes effect, to the Court of Common Pleas of Tallapoosa County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given in accordance with Article IV, Section 106 of the Constitution of Alabama that application will be made to the Legislature of Alabama for enactment of a local law applicable to Tallapoosa County, the substance of which is as follows:

AN ACT to create and establish in Tallapoosa County an inferior court to be known as the court of common pleas; to provide that this court shall be in lieu of the county court and the juvenile court; to abolish the county court and the juvenile court; to prescribe the jurisdiction of the court of common pleas with reference to criminal cases, civil actions, and juvenile matters; to provide that the court shall not have power to try persons charged with felonies; to provide that the court shall not have jurisdiction of any civil action when the sum in controversy exceeds one thousand dollars, nor take cognizance of any matter or proceeding in equity; to provide for the election of a judge of the court at the general election in 1968, and every six years thereafter; to provide for the nomination and appointment of the first judge of the court of common pleas; to prescribe the qualifications of the judge of the court and provide for his compensation, tenure, and authority; to provide for appointment of a special judge when the regular judge is disqualified or unable to act; to provide for two divisions of the court of common pleas and to provide that sessions of the court will be held at Alexander City and at Dadeville; to provide for regular terms of the court; to define the boundaries of each division of the court and to provide for venue of actions; to provide that the sheriff or his deputy shall serve the processes of the court and perform certain other duties in connection with the operation of the court of common pleas; to prescribe the rules of practice and procedure in the court of common pleas in civil, criminal, and juvenile cases; to provide for costs and charges in the court of common pleas and for trial taxes; to prescribe special rules of procedure in criminal prosecutions and require the county solicitor of Tallapoosa County to act as solicitor in the court of common pleas; to fix the compensation of the county solicitor for the performance of such duties; to provide for appeals and review of decisions of the court of common pleas; to provide that a party in whose favor a judgment is rendered in the court of common pleas shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 17, Code 1940; to provide that the circuit clerk of Tallapoosa County shall be ex officio clerk of the court of common pleas; to provide for compensation of the clerk for the performance of his duties and to prescribe his power and authority in reference to the business of the court of common pleas; to provide for a transfer of cases pending in the county court and the juvenile court for the control of the judgments rendered by the abolished courts.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the Alexander City Outlook published weekly at Alexander City, Alabama do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated January 5, 1967, and ending with the issue dated January 26, 1967.

J. C. HENDERSON.

Subscribed and sworn before me this 26th day of January, 1967.

VONCILLE M. DEAN,
Notary Public.

My Commission Expires January 18, 1971.

By Mr. Cooper:

S. 13. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

Committee on Finance and Taxation.

By Messrs. Turner, Clark and Goodwyn:

S. 14. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Committee on Finance and Taxation.

By Messrs. Turner and Goodwyn:

S. 15. To amend further Sections 655 and 657 of Title 51, Code of Alabama (1940), which provide for the use of a portion of the State Gasoline Excise Tax.

Committee on Finance and Taxation.

By Mr. Turner:

S. 16. To make an appropriation to the office of the Attorney General and to provide for special Assistant Attorneys General and investigators.

Committee on Finance and Taxation.

By Messrs. Turner and Engel:

S. 17. To make an additional appropriation from the state treasury to the use of the secretary of state for payment of salaries and other expenses.

Committee on Finance and Taxation.

By Messrs. Turner and Engel:

S. 18. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

Committee on Finance and Taxation.

By Messrs. Pierce, Turner and Engel:

S. 19. To make an additional appropriation to the Agricultural Center Board.

Committee on Finance and Taxation.

By Messrs. Goodwyn, Turner, Engel and Cooper:

S. 20. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

Committee on Finance and Taxation.

By Mr. Leonard:

S. 21. To authorize the governing body of any county or municipality to appropriate public funds and to use certain equipment and employees in aid of certain projects undertaken in any other contiguous county, or the home county of said governing body.

Committee on Counties and County Boundaries.

By Messrs. Goodwyn, Turner, Engel and Cooper:

S. 22. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Committee on Finance and Taxation.

By Messrs. Goodwyn, Harris, Branyon, Turner, Folsom, Giles, Gilmore, Pelham, Clark, Vacca, Albea, Hawkins, and Cooper:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Turner:

S. 24. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

Committee on Judiciary.

By Mr. Clark:

S. 25. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

Committee on Banking.

By Messrs. Clark, Cooper and Lolley:

S. 26. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

Committee on Finance and Taxation.

By Mr. Lolley:

S. 27. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

To be introduced in the next special session of the Alabama Legislature. (Local bill, Geneva County.)

A BILL
TO BE ENTITLED
AN ACT

Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section I. The fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama, Title 14, Section 177 shall be five dollars, in Geneva County, Alabama which shall be collected by the sheriff and credited to a special fund or account of the sheriff and shall be used exclusively by the sheriff for uniforms, ammunition and equipment or any other purpose for the benefit of the sheriff's office or duties.

Section II. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

I, Orsen Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of Four consecutive weeks, commencing Jan. 26, 1967, and ending Feb. 16, 1967.

WITNESS my hand this 27 day of February, 1967.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 27 day of Feb., 1967.

KAROL L. FLEMING,
Notary Public.

*This is to certify that the Geneva County Reaper has a general circulation in the County in which it is published and that this newspaper has been mailed under the second class mailing privileges for 52 consecutive weeks prior to the publication of this foreclosure advertisement, and that a copy of the newspaper containing the first notice of sale was mailed to the mortgagor at his or her last known address.

By Messrs. Engel, Pelham, McDermott, Cooper, Lolley, Clark, Givhan and Turner:

S. 28. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Committee on Seaports.

By Messrs. Engel, Pelham, McDermott, Cooper, Lolley, Clark, Givhan and Turner:

S. 29. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Committee on Seaports.

The above Bill was read a first time at length as required by the Constitution.

By Messrs. Engel, Turner, Pelham, Giles, Harris, Branyon, Cooper, Lolley, Clark and Givhan:

S. 30. To provide further for state participation in the Tennessee-Tombigbee Waterway Project; authorizing and requiring the Alabama Highway Department to undertake within the State of Alabama certain construction, operation, and maintenance work connected with such project, conferring upon the Alabama Highway Finance Corporation certain responsibilities and authority with respect to such undertakings, including the authority to issue and sell revenue bonds to finance state participation in the project, and appropriating public funds.

Committee on Finance and Taxation.

By Messrs. Engel, McDermott, Pelham, Cooper and Lolley:

S. 31. To authorize the president or board of trustees of the University of South Alabama to appoint police officers and to prescribe the powers and duties of such officers.

Committee on Judiciary.

By Messrs. McDermott, Pelham and Engel:

S. 32. To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

Committee on Local Legislation No. 1.

By Messrs. Albea, Goodwyn, Turner, Torbert, Radney, Vacca, Hawkins, McDermott, Morrow, Leonard, Lindsey, Engel, Childs, McCarley, Bailes, Skidmore and Harris:

S. 33. To authorize the Governor, the Chief Justice of the Alabama Supreme Court, and the Presiding Judge of the Alabama Court of Appeals to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed \$5,000,000.00, construct, operate and maintain, or cause to be constructed, operated and maintained, a judicial building or buildings, the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds, and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building or buildings; and to provide that any properties of the corporation and the income therefrom, and any securities issued and the income therefrom, and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the printed Journals and Acts of the Organizational Session, this Special Session and any other Special Sessions of the Legislature of 1967 be bound respectively with the printed Journals and Acts of the Regular Session which commences in May of 1967.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 4, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Thomas:

H. J. R. 5. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we note with deep regret and profound sorrow the death of Mr. Charlie Herman Brown, brother of our beloved colleague from Tuscaloosa County, and extend our sincere sympathy to Representative Brown and the members of his family for their great loss.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 5, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 6. WHEREAS Charles "Pete" Mathews, an illustrious graduate of Jacksonville State Teachers College now known as Jacksonville State University, was an outstanding player on the football and baseball teams there before his graduation in 1939 and has since then been a close follower and avid supporter of these teams; he is a prominent member of the Alumni Association, in which organization he was selected as Alumnus of the Year in 1963, and has contributed much

time and effort towards development of this fine institution; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new baseball field at Jacksonville State University shall be named, designated and known as the "Pete Mathews Field" in honor and appreciation of the invaluable service Senator Mathews has rendered the school through the years.

RESOLVED FURTHER, That a copy of this resolution shall be sent to Dr. Houston Cole, President of Jacksonville State University.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, H. J. R. 6, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Mr. Albea offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. WHEREAS Miss Ada Curtiss was instrumental in the establishment of the present music department at Jacksonville State University, was the head of that institution's music department from 1919 to 1950, organized the college's first band and first choral group, and during her tenure taught thousands of students who became teachers who have passed on their talents to tens of thousands of other students; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new women's dormitory at Jacksonville State University be named, designated and known as "Ada Curtiss Hall" as a fitting tribute to Miss Curtiss.

On motion of Mr. Albea, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Goodwyn offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That each member of the Legislature shall be allowed three hundred dollars a month for expenses incurred in the performance of his duties, to be paid at the end of each month during his term; also, each member shall be allowed an additional ten dollars a day for expenses during the time the Legislature is in session.

RESOLVED FURTHER, That this order shall take effect upon approval thereof by the Governor as provided in Article 5, Section 125 of the Constitution.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED that said Committee ascertain from Her Excellency if she desires to address a joint session of the Legislature and if she does desire to address a joint session, to further ascertain the time most suitable to her for such address.

And the Speaker of the House named as a Committee on the part of the House Messrs. Bank, House and McDonald.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 2, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House and Senate be held at 7:30 o'clock today for the purpose of hearing the message of the Honorable Lurleen Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, that a committee of three from the House, to be named by the Speaker of the House and a committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise her that the two Houses will meet in joint session at the hour named above for the purpose of receiving her message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Hardin, McCorquodale and Meeks.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 3, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 1. Relative to notifying Her Excellency, the Governor, that the Legislature is in session.

And the Speaker of the House has named as a Committee on part of the House Messrs. Bank, House and McDonald.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 2. Relative to joint session of the Legislature for the purpose of hearing the message from the Governor.

And the Speaker of the House has named as a Committee on part of the House Messrs. Hardin, McCorquodale and Meeks.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Malone, Owens (Etowah) and Wright:

H. J. R. 7. Whereas during his term of service as Director of the Alabama School of Trades, Gadsden, Alabama, Mr. E. L. Darden has worked with diligence and unswerving loyalty to further the cause of rehabilitating the handicapped and has contributed greatly to the development of the Gadsden Rehabilitation Center; and

Whereas, Without his devoted efforts and leadership the Gadsden Rehabilitation Center would not have been as fully developed as it is today;

Now, Therefore, Be It Resolved By the Legislature of Alabama, Both Houses Thereof Concurring, That the Gadsden Rehabilitation Center which includes the buildings housing the evaluation center and workshop projects and the new building housing the facilities of the sheltered workshop be named the E. L. Darden Rehabilitation Center in his honor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nabors, the Rules were suspended and the Resolution, H. J. R. 7, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

JOINT SESSION

The hour of 7:30 o'clock P. M. having arrived, on motion of Mr. Cooper and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the message of Her Excellency, the Governor.

The Joint Session was called to order by the Honorable Albert Brewer, President and Presiding Officer of the Senate.

A quorum of the Legislature was present.

Thereupon, the Honorable Lurleen B. Wallace, Governor of Alabama, was escorted to the Chair and delivered her address to the Legislature of Alabama.

(See House Journal for Governor's Message.)

The purpose of the Joint Session having been accomplished, the Senate retired to its Chamber, and was called to order by the Honorable Albert Brewer, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins	Oden	

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ELECTION OF DOORKEEPER

Mr. Branyon placed in nomination for the position of Doorkeeper of the Senate the name of Honorable J. W. Ayers of Fayette County.

Mr. Turner placed in nomination for the position of Doorkeeper of the Senate the name of Honorable Floyd Crum, of Montgomery County.

On motion of Mr. Goodwyn, the nominations were closed.

Mr. Ayers, having received a majority of the votes cast, was declared duly and constitutionally elected to the position of Doorkeeper of the Senate for the term prescribed by law.

ELECTION OF ASSISTANT DOORKEEPER

Mr. Lolley placed in nomination for the position of Assistant Doorkeeper of the Senate the name of Honorable Jimmy Walker, of Coffee County.

Mr. Morrow placed in nomination for the position of Assistant Doorkeeper of the Senate the name of Honorable Joseph J. Trucks, of Jefferson County.

On motion of Mr. Nabors, the nominations were closed.

Mr. Walker, having received a majority of the votes cast, was declared duly and constitutionally elected to the position of Assistant Doorkeeper of the Senate for the term prescribed by law.

OATH OF OFFICE

The President and Presiding Officer of the Senate administered the following Oath of Office to Messrs. Ayers and Walker, to-wit:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability. So help me God."

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution, to-wit:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

and ordered same returned to the Senate with a favorable report, with substitute.

The Rules Committee then reported the following substitute for the Resolution, S. J. R. 4, to-wit:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That each member of the Legislature shall be allowed an additional three hundred dollars a month for expenses incurred in the performance of his duties, to be paid at the end of each month during his term.

RESOLVED FURTHER, That this order shall take effect upon approval thereof by the Governor as provided in Article 5, Section 125 of the Constitution.

Mr. Bailes moved that further consideration of the substitute reported by the Standing Committee on Rules for the Resolution, S. J. R. 4, be postponed until the next Legislative Day.

On motion of Mr. Cooper, the motion to postpone was laid on the table.

On motion of Mr. Cooper, the Rules Committee substitute for the Resolution, S. J. R. 4, was then adopted.

MOTION TO ADJOURN LOST

At 9 o'clock P. M., Mr. Bailes moved that the Senate adjourn until Friday, March 3, 1967, at 10 o'clock A. M., which motion was lost.

FURTHER CONSIDERATION OF S. J. R. 4

The Senate then proceeded to further consideration of the Resolution, S. J. R. 4, as amended by the Rules Committee substitute.

Mr. Nabors offered the following substitute for S. J. R. 4, as amended, to-wit:

Substitute for S. J. R. 4, as amended

RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That each member of the legislature shall be allowed expenses, other than actual expenses of traveling, in the amount of \$350 per month during his term, which allowance shall be payable from legislative funds at the end of each month and shall be in lieu of any and all other expense allowances heretofore provided, except the mileage allowance provided for in Amendment 57.

On motion of Mr. Cooper, said substitute was laid on the table.

Yeas 19; Nays 15.

Yeas:

Messrs.:	Folsom	Lolley	Pelham
Adams	Giles	McCarley	Radney
Clark	Givhan	McDermott	Skidmore
Cooper	Leonard	O'Bannon	Stone
Engel	Lindsey	Oden	Torbert

—19

Nays:

Messrs.:	Carr	Goodwyn	Nabors
Albea	Childs	Harris	Pierce
Bailes	Dominick	Hawkins	Turner
Branyon	Gilmore	Morrow	Vacca

—15

And said Resolution, S. J. R. 4, as amended by the Rules Committee substitute, was then adopted by the Senate.

RESOLUTION

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. WHEREAS Fort Morgan, located on a narrow peninsula bounded on one side by the Gulf of Mexico and on the other by Mobile Bay, is a veritable mecca, which attracts many tourists to Alabama; and

WHEREAS, no spot in Alabama is more beautiful or of more historical significance than this narrow finger of land extending west between Mobile Bay and the Gulf of Mexico for: here most likely is where the white man first put foot on this continent, since it is highly probable that a Welshman, Prince Madoc, landed here more than three hundred years before Columbus was born; here nearly five hundred years ago Isabella DeSoto waited in vain for her adventurer-husband who would never return after his discovery of the Mississippi; here stands a fort (thought to be a copy of the five-pointed star Fort of Italy, designed early in the sixteenth century by Michelangelo), over which the flags of seven nations have proudly waved, and from which were fired the volleys which sank the British flagship, *Hermes*, and here Admiral Farragut issued his famed command, "Damn the torpedoes! Full speed ahead!"; and

WHEREAS, for many decades this historic spot was abandoned and during this time the semi-tropical vegetation of the area covered this magnificent old building and its many items of historic interest, converting this beautiful peninsula into a snake-infested jungle; and

WHEREAS, the fact that Fort Morgan is now a well-kept tourist attraction instead of an inaccessible ugly ruin is due in large measure to Mr. Hatchett Chandler, a native Montgomerian, who in ill health many years ago went to this beautiful spot in his own words, "there to die"; but who since then has devoted his life to promoting the restoration of Fort Morgan and its establishment as a state shrine; and

WHEREAS, Mr. Chandler has spent innumerable hours in historical research relative to this little finger of land and its important role in the development of this country, in urging officials to return and keep on display at Fort Morgan numerous items which were intimately associated with the fort or events which transpired here, in writing and publishing articles telling the world about Fort Morgan and its part in our history, and even in doing much of the back-breaking manual labor in-

volved in clearing the jungle from around the towering oleander trees, which, he firmly believes, Isabella DeSoto planted; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby acknowledge with grateful appreciation the tremendous amount of time and effort that Mr. Chandler has put into promoting the restoration of Fort Morgan, in identifying and marking the items of historic interest there and in compiling and publicizing information about Fort Morgan and its attractions. His dedication to this project has redounded to the State of Alabama. The fact that Fort Morgan is now a popular tourist mecca is, in fact, a testimonial of Mr. Chandler's persistent and vigorous interest in maintaining and preserving for posterity this fascinating bit of Alabama's history. As representatives of all the people of Alabama, we hereby say: Thank you, Mr. Chandler, for a job well done.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 4. Relative to an additional three hundred dollars a month for expenses incurred in the performance of the duties of each member of the Legislature.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 9:18 P. M., Mr. Turner moved that the Senate adjourn until Friday, March 3, 1967, at 11 o'clock A. M.

Mr. McCarley moved as a substitute motion that the Senate adjourn until Friday, March 3, at 2 o'clock P. M., which motion was lost.

Mr. Bailes moved as a substitute motion that the Senate adjourn until Friday, March 3, at 10 o'clock A. M., which motion was lost.

Mr. Radney moved as a substitute motion that the Senate adjourn until Tuesday, March 7, at 10 o'clock A. M., which motion was lost.

Yeas 10; Nays 19.

Yeas:

Messrs.:	Childs	Hawkins	Pelham	
Adams	Engel	McDermott	Radney	
Bailes	Giles	O'Bannon		—10

Nays:

Messrs.:	Dominick	Lolley	Skidmore
Albea	Folsom	McCarley	Stone
Branyon	Gilmore	Morrow	Torbert
Carr	Goodwyn	Nabors	Turner
Clark	Harris	Pierce	Vacca

—19

The question then recurred on the original motion offered by Mr. Turner, and at 9:25 P. M., the Senate adjourned until Friday, March 3, 1967, at 11 o'clock A. M.

SECOND LEGISLATIVE DAY

FRIDAY, MARCH 3, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Mark E. Waldo, Rector, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins	Oden	

—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Jackson for today.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled

Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 4. Relative to the binding of the Journals and Acts of the Organizational Session, this Special Session and any other Special Sessions of the Legislature of 1967.

Also:

H. J. R. 5. Mourning the death of Charlie Herman Brown of Tuscaloosa County.

Also:

H. J. R. 6. Relative to naming the baseball field at Jacksonville State University the "Pete Mathews Field".

Also:

H. J. R. 7. Relative to naming the Gadsden Rehabilitation Center the E. L. Darden Rehabilitation Center.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

ADJOURNMENT

At 11:11 A. M., on motion of Mr. Albea, the Senate adjourned until Tuesday, March 7, 1967, at 2 o'clock P. M.

Yeas 20; Nays 14.

Yeas:

Messrs.:	Childs	Lindsey	Pelham	
Adams	Dominick	McDermott	Pierce	
Albea	Gilmore	Morrow	Radney	
Bailes	Harris	Nabors	Torbert	
Branyon	Hawkins	O'Bannon	Vacca	
Carr				—20

Nays:

Messrs.:	Folsom	Leonard	Skidmore	
Clark	Giles	Lolley	Stone	
Cooper	Givhan	McCarley	Turner	
Engel	Goodwyn	Oden		—14

THIRD LEGISLATIVE DAY

TUESDAY, MARCH 7, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Tommy L. Sinclair, Pastor, Cloverdale Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	Oden	Vacca	
Dominick				—32

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Jackson, O'Bannon and Adams for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Carr:

S. 34. To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Marshall County shall receive an annual salary of eighteen hundred dollars (\$1,800), payable in equal monthly installments out of the general fund of the county on the warrant of the chairman of the Commission on Government and Finance of Marshall County or any succeeding county governing body with like duties. Except as herein provided, such salary shall be the entire compensation of the coroner and shall be in lieu of all fees, commissions, percentages and allowances prescribed by law for performance of the duties of his offices, and such fees, commissions, percentages or allowances shall be paid into the general fund of the county. The county governing body, however, shall provide the coroner with all office supplies and official blanks and forms necessary for the conduct of the duties of his office and shall reimburse him for any telephone calls he may find necessary to make in the performance of his duties as coroner.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Leroy Sumners, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner of the The Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 2, 9, 16, and 23, all in the year 1967.

LEROY SUMNERS.

Sworn to and subscribed before me March 3, 1967.

FRANCES S. ENGLAND,
Notary Public.

By Mr. Carr:

S. 35. To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County, is amended to read as follows:

"Section 1. The county superintendent of education of Marshall County shall receive an annual salary of thirteen thousand two-hundred dollars (\$13,200) and an annual expense allowance of twelve hundred dollars (\$1,200) which sums shall be his entire compensation. In the event the legislature shall appropriate sufficient funds to provide an across the board increase for teachers' salaries, the county board of education may, in its discretion, increase the salary of the county superintendent of education in the same dollar amount as the increase provided for teachers holding the highest ranking certificate of the certificate to which teachers who hold master's degrees are entitled.

"The salary provided in this Act shall be payable in equal monthly installments upon the order of the county board of education out of the public school funds of the county, and no additional authority shall be required to provide the contingent increase in salary herein authorized."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Leroy Sumners, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner of the The Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 2, 9, 16, and 23, all in the year 1967.

LEROY SUMNERS.

Sworn to and subscribed before me March 3, 1967.

FRANCES S. ENGLAND,
Notary Public.

MOTION TO READ AT LENGTH

Mr. Morrow moved that the bill, S. B. 35, be read a first time at length.

Mr. Turner raised the Point of Order whether the reading at length of a bill could be requested by one senator, and requested a ruling of the Chair.

The President and Presiding Officer of the Senate ruled that the reading at length of a bill could be requested only by a majority of the Senate; whereupon, the roll was called and the motion to read at length was adopted.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Dominick	Lindsey	Nabors	
Albea	Folsom	McCarley	Pierce	
Branyon	Gilmore	McDermott	Radney	
Childs	Harris	Morrow	Vacca	
Cooper	Hawkins			—17

Nays:

Messrs.:	Goodwyn	Oden	Stone	
Carr	Leonard	Pelham	Torbert	
Engel	Lolley	Skidmore	Turner	
Givhan				—12

And said Bill, S. B. 35, was then read a first time at length and referred to the Standing Committee on Local Legislation No. 1.

INTRODUCTION OF BILLS

Upon a call of districts, further bills were introduced, severally read one time at length and referred to appropriate Standing Committees, as follows:

By Mr. Skidmore:

S. 36. To amend Section 3, Act No. 817, H. 298, Regular Session 1961, relating to supernumerary court reporters.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 37. To make an appropriation to the Alabama State Fire College created and established by an Act of the Legislature No. 373. of Acts of the Legislature of 1955, Volume II, page 898, approved September 8, 1955, and to provide for the expenditure thereof and the payment of the appropriation.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 38. To create Offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties, and compensation of such offices.

Committee on Finance and Taxation.

By Messrs. Dominick and Bailes:

S. 39. To repeal Act 19, Third Special Session, 1965, an Act establishing legislative agents, and any and all amendments thereto.

Committee on Counties and County Boundaries.

By Mr. Givhan:

S. 40. To make an additional appropriation to the Alabama State Milk Control Board.

Committee on Finance and Taxation.

By Messrs. McCarley, Folsom, Radney, Leonard, Clark, Lolley, Lindsey, Givhan, Vacca, Bailes, Childs, Turner, Torbert, Skidmore and Carr:

S. 41. To authorize counties and municipalities to provide for establishment and operation of non-profit ambulance services.

Committee on Municipalities and
Municipal Organizations.

By Mr. McCarley:

S. 42. To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Prattville and the County of Autauga are hereby authorized, jointly and severally, to create and establish, maintain and operate an ambulance service to promote the health, welfare and safety of residents of the county and city and of citizens and others traveling within the county. Toward this end the city and county may appropriate public funds, employ such personnel, and purchase and maintain such equipment and other facilities as may be needed for such purpose.

Section 2. The governing body of the city and of the county may by ordinance provide for operation of the ambulance service herein authorized, and may authorize the service to charge and collect fees for services rendered, provided that such charges shall be based solely on the cost of operating the service, which shall not be operated for profit.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 30, Feb. 2, Feb. 9, and Feb. 16, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me March 2, 1967.

LINDA H. BREEDLOVE,
Secretary.

(Seal)

My commission expires Dec. 9, 70.

By Mr. Radney:

S. 43. To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill, substantially as follows, will be introduced in the Alabama Legislature:

A BILL
TO BE ENTITLED
AN ACT

To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any state or national bank whose principal place of business is located in Tallapoosa County may, with the written consent of the State Superintendent of Banks, or the appropriate Federal agency, whichever is applicable, open, establish and operate a branch office or branch bank for receipt of deposits, payment of checks, and conducting its business, anywhere within the corporate limits of the city or town where its principal office is situated.

Section 2. All laws or parts of law which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the Alexander City Outlook published weekly at Alexander City, Alabama do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated December 8, 1966, and ending with the issue dated December 29, 1966.

J. C. HENDERSON.

Subscribed and sworn before me this 29th day of December, 1966.

VONCILLE M. DEAN,
Notary Public.

(Seal)

My Commission Expires February 12, 1967.

By Mr. Torbert (By Request):

S. 44. To provide for the deposit of money of the State in State Depositories in demand deposits and in time deposits open account; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

Committee on Banking.

By Messrs. Radney and Torbert:

S. 45. To provide for and regulate an additional expense allowance for the circuit judges of the Fifth Judicial Circuit payable out of the state treasury.

Committee on Finance and Taxation.

By Mr. Torbert:

S. 46. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Committee on Judiciary.

By Mr. Turner:

S. 47. To amend further Code of Alabama 1940, Title 30, Section 21, in relation to the qualification of jurors.

Committee on Judiciary.

By Mr. Turner:

S. 48. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

Committee on Public Buildings and Grounds.

By Messrs. Lolley and Givhan:

S. 49. To make an additional appropriation to the use of the Farmers Market Authority for the fiscal year ending September 30, 1967.

Committee on Finance and Taxation.

By Messrs. Goodwyn and Pierce:

S. 50. To authorize the county governing body of counties having populations of not less than 160,000 nor more than 300,000, according to the most recent federal decennial census, to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Committee on Local Legislation No. 1.

By Messrs. Goodwyn and Pierce:

S. 51. To amend Act No. 428, H. 933, Regular Session 1961, an act creating and establishing a countywide personnel system for counties having populations of not less than 150,000 nor more than 300,000 (Acts of Alabama, Regular and Special Sessions 1961, v. 1, p. 456).

MOTION TO READ AT LENGTH

Mr. Morrow moved that the above bill, S. B. 51, be read a first time at length, which motion was adopted.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors
Albea	Folsom	Lindsey	Pierce
Branyon	Giles	McDermott	Radney
Childs	Gillmore	Morrow	Vacca
Cooper	Harris		

Nays:

Messrs.:	Givhan	Lolley	Stone
Carr	Goodwyn	Pelham	Torbert
Clark	Leonard	Skidmore	Turner
Engel			

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And said Bill, S. B. 51, was then read a first time at length and referred to the Standing Committee on Local Legislation No. 1.

INTRODUCTION OF BILLS

Upon a call of districts, further bills were introduced, severally read one time at length and referred to appropriate Standing Committees, as follows:

By Messrs. Goodwyn and Pierce:

S. 52. To authorize the county governing body of any county in this State to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Committee on Counties and County Boundaries.

By Mr. Branyon:

S. 53. Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193).

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA FAYETTE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 Second Special Session, p. 193).

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor and the tax collector of Fayette County may each appoint a clerk to assist him in the performance of the duties of his office. Each clerk so appointed shall be entitled to receive a salary of \$125.00 a month payable from the general funds of the county. The Clerk of the Tax Assessor shall be employed full time, but the Clerk of the Tax Collector shall be employed and paid for seven months in each calendar year and no more.

Section 2. Act. No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193), an act providing for the appointment of clerical assistants by certain officers of Fayette County, is superseded by this act and is hereby expressly repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall take effect on the first day of the month next following the date of its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, a notary public personally appeared Jack Black who being duly sworn, deposes to say that he is Publisher of the FAYETTE COUNTY BROADCASTER and that the legal advertisement was published in said newspaper on the following dates: Nov. 10, 1966, Nov. 17, 1966, Nov. 23, 1966, Dec. 1, 1966.

JACK BLACK.

Sworn to and subscribed before me this 27 day of Feb., 1967. In testimony whereof I have hereunto set my hand and seal.

Seal

MARILYN S. McEACHERN,
Notary Public.

By Mr. Branyon:

S. 54. To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
FAYETTE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit;

A BILL
TO BE ENTITLED
AN ACT

To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the second deputy sheriff of Fayette County shall be fixed by the Court of County Commissioners of Fayette County in an amount not to exceed \$4,500.00 per annum, payable in twelve equal monthly installments out of the county public highway and traffic fund.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, a notary public personally appeared Jack Black who being duly sworn, deposes to say that he is Publisher of the FAYETTE COUNTY BROADCASTER and that the legal advertisement was published in said newspaper on the following dates: Nov. 10, 1966, Nov. 17, 1966, Nov. 23, 1966, Dec. 1, 1966.

JACK BLACK.

Sworn to and subscribed before me this 27 day of Feb., 1967. In testimony whereof I have hereunto set my hand and seal.

MARILYN S. McEACHERN,
Notary Public.

By Messrs. Gilmore, Dominick, Hawkins, Vacca, Childs and Morrow:

S. 55. To amend further Act No. 44, H. B. 53, approved September 15, 1961, an act providing for a license tax on house trailers.

Committee on Finance and Taxation.

By Messrs. Childs, Hawkins, Dominick, Gilmore, Vacca and Morrow:

S. 56. To amend further Act No. 672, H. 479, Regular Session 1961, an act revising the privilege license schedule relating to the registration of trucks, truck-tractors, trailers, and semi-trailers operated for hire.

Committee on Finance and Taxation.

By Messrs. Hawkins, Dominick, Gilmore, Vacca, Childs and Morrow:

S. 57. To amend Section 1 of Act No. 315, H. 773, approved August 1, 1951, an act fixing the license and registration fee on certain motor vehicles.

Committee on Finance and Taxation.

By Messrs. Morrow, Hawkins, Dominick, Gilmore, Vacca and Childs:

S. 58. To amend Code of Alabama Title 51, Sections 697 and 703, relating to motor vehicle licenses.

Committee on Finance and Taxation.

By Messrs. Morrow, Hawkins, Dominick, Gilmore, Vacca and Childs:

S. 59. To amend Act. No. 775, H. 40, approved September 19, 1953, (Acts 1953, v. ii, pp. 1046, 1047), an act fixing the license and registration fee on pick-up trucks.

Committee on Finance and Taxation.

By Messrs. Morrow, Hawkins, Dominick, Gilmore, Vacca and Childs:

S. 60. To provide further for distribution and use of revenue derived from license taxes on motor vehicles and trailers; amending further Code of Alabama Title 51, Section 713.

Committee on Finance and Taxation.

By Messrs. Childs, Hawkins, Dominick, Gilmore, Vacca and Morrow:

S. 61. To amend Code of Alabama, Title 51, Sections 695 and 696, in relation to the license tax on certain motor vehicles.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 62. To provide further for distribution and use of the proceeds of state excise taxes on gasoline; amending further Code of Alabama Title 51, Sections 655, 656 and 657.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 63. To amend further Section 13 of Act No. 590, H. B. 392, approved June 27, 1940 (General Acts 1939, p. 958), an act imposing an excise tax upon the sale, distribution, storing, or withdrawal from storage within this state of certain motor fuels, so as to provide further for the disposition and use of the proceeds of such tax.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 64. To provide further for distribution and use of revenue derived from license taxes on motor vehicles and trailers; amending further Code of Alabama Title 51, Section 713.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 65. To amend further Code of Alabama Title 51, Section 657, in relation to distribution and use of the proceeds of gasoline taxes.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 66. To amend further Section 33 of Act No. 100, Second Special Session, 1959, relating to exemptions from the state sales tax.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 67. To appropriate to the Department of Conservation, Division of State Parks, Monuments and Historical Sites, the sum of fifty thousand dollars (\$50,000) to be used in construction work at Oak Mountain State Park.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 68. To amend further Act No. 255, H. 313, approved June 24, 1943, an act providing for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors (General Acts 1943, pp. 226-228).

Committee on Finance and Taxation.

By Mr. Bailes:

S. 69. To amend further Code of Alabama Title 51, Section 789, relating to exemptions from the state use tax.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 70. To repeal Act No. 57, H. 163, Second Special Session 1965, an act exempting herbicides from the state sales and use taxes.

Committee on Finance and Taxation.

By Mr. Bailes:

S. 71. To repeal Act No. 375, H. 2, Regular Session 1965, an act exempting herbicides from the state sales and use taxes (Acts of Alabama, Regular Session 1965, v. 1, p. 511).

Committee on Finance and Taxation.

By Mr. Bailes:

S. 72. To fix the compensation of certain public officers in the State of Alabama and repeal conflicting laws.

Committee on Finance and Taxation.

ADJOURNMENT

At 3:04 P. M., on motion of Mr. Morrow, the Senate adjourned until Wednesday, March 8, 1967, at 12 o'clock Noon.

Yeas 20; Nays 12.

Yeas:

Messrs.:	Folsom	Leonard	Nabors
Albea	Giles	Lindsey	Pierce
Bailes	Gilmore	McCarley	Radney
Childs	Harris	McDermott	Stone
Cooper	Hawkins	Morrow	Vacca
Dominick			

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Nays:

Messrs.:	Engel	Lolley	Skidmore
Branyon	Givhan	Oden	Torbert
Carr	Goodwyn	Pelham	Turner
Clark			

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FOURTH LEGISLATIVE DAY

WEDNESDAY, MARCH 8, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend John D. Trobaugh, Associate Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McCarley	Radney
Branyon	Gilmore	McDermott	Skidmore
Carr	Givhan	Morrow	Stone
Childs	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Turner
Cooper	Leonard	Oden	Vacca
Dominick			

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON, JR.,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Goodwyn, Adams and Jackson for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. 73. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Committee on Local Legislation No. 1.

By Mr. Skidmore:

S. 74. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 109,000 nor more than 115,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Bailes:

S. 75. To authorize Alabama Highway Finance Corporation to finance, by the issuance of its bonds, the State of Alabama's share of the cost of the construction, reconstruction and improvement of public highways and bridges in the state with respect to which funds may have heretofore been or may hereafter be apportioned to the state under the provisions of any statute of the United States, said bonds to be in addition to those heretofore authorized to be issued by said corporation; to limit to \$150,000,000 the principal amount of bonds, other than refunding

bonds, of said corporation which may be issued under this act; to provide that bonds issued under this act and the income therefrom shall be exempt from taxation, and that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of said bonds; to make appropriation and pledge of funds necessary to pay the principal of and interest on said bonds; to authorize said corporation to pledge such funds for payment of the principal of and interest on said bonds; and to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments.

Committee on Finance and Taxation.

By Mr. Turner:

S. 76. To amend Section 107 of Title 13, Code of Alabama of 1940, as amended, to fix the compensation of the clerk of the court of appeals, and to appropriate funds for carrying out the provisions of this act.

Committee on Finance and Taxation.

RESOLUTIONS

Mr. Dominick offered the following Senate Joint Resolution, to-wit:

By Mr. Dominick:

S. J. R. 6. Ratifying the proposed amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency; disability of the President.

WHEREAS the Eighty-ninth Congress of the United States of America in both houses by a constitutional majority of two-thirds thereof, has made the following proposal to amend the Constitution of the United States—

“JOINT RESOLUTION

“Proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency; disability of the President.

“RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF EACH HOUSE CONCURRING THEREIN), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

“ARTICLE—

“Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

“Sec. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"Sec. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That:

1. The proposed amendment to the Constitution of the United States of America as herein shown be and the same is hereby ratified.

2. Duly authenticated copies of this resolution shall be forwarded by the Secretary of State to the Secretary of State of the United States, to the presiding officer of the Senate of the United States, and to the Speaker of the House of Representatives of the United States.

On motion of Mr. Dominick, the Rules were suspended and the Resolution was adopted by the Senate.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham
Albea	Folsom	McCarley	Pierce
Bailes	Giles	McDermott	Radney
Branyon	Givhan	Morrow	Skidmore
Childs	Harris	Nabors	Stone
Clark	Hawkins	O'Bannon	Torbert
Cooper	Leonard	Oden	Turner
Dominick	Lindsey		

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Nays:

—0

Mr. Folsom offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. WHEREAS Mrs. Marie Phillips, wife of Mr. Mark Phillips and mother of two small children, was killed by a tornado which ripped through her home in Empire, Alabama; and

WHEREAS Mr. Phillips and his son, Tommy, were injured as a result of this storm which also destroyed their home; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Mrs. Phillips and extend to Mr. Phillips and his children, Pamela and Tommy, our heartfelt sympathy in their bereavement.

RESOLVED FURTHER That a copy of this resolution be sent to Mr. Phillips.

On motion of Mr. Folsom, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Folsom offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. WHEREAS Dennis Wright, a sixteen year old boy of the Rocky Hollow Community near Sumiton in Walker County, was killed on March 6, 1967 as a result of a tornado which destroyed his home and injured his mother and sister; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the tragic and untimely death of Dennis Wright and extend our heartfelt sympathy to the surviving members of his family, to whom copies of this resolution shall be sent.

On motion of Mr. Folsom, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Nabors offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. WHEREAS, Miss Susan Smith of Gadsden exhibited throughout her life those admirable attributes of friendliness, devotion to duty, and concern for her fellowman, and

WHEREAS, she gained the respect of fond feelings of those she knew—whether friend or mere acquaintance, and

WHEREAS, Miss Smith gave much of her time to the worthwhile activities of her church, her sorority, and her YMCA program, and

WHEREAS, she represented the young people of Alabama in a most commendable manner as A Student Ambassador to Greece during the summer of 1966, and

WHEREAS, Miss Smith possessed an avid interest in the affairs of the State as evidenced by her capable service as Clerk of the House during the 1964 Alabama Youth Legislature, and

WHEREAS, she further proved her dedication to the American tradition by continuing her education at the University of Alabama where she participated in many campus programs, and

WHEREAS, Miss Smith has been taken from us to serve a greater purpose in the life eternal, and

NOW THEREFORE, BE IT RESOLVED THAT THE STATE SENATE, THE HOUSE CONCURRING, pay respect and tribute to the outstanding example set by the wonderful life she lived, and

BE IT FINALLY RESOLVED that a copy of this resolution along with our deepest feelings of sympathy be sent to her mother, Mrs. Evelyn M. Smith; to her father, Dr. Walter Smith; to her younger sister, Miss Cynthia Smith; and her college sorority, Alpha Gamma Delta.

On motion of Mr. Nabors, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Torbert offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. WHEREAS Mrs. Leila Avary Terrell, a resident of Auburn since 1902 is known and loved by hundreds of Auburn University Alumni; for more than 50 years she roomed and fed Auburn students in her spacious home, serving as counselor and advisor to them; and

WHEREAS Mrs. Terrell, who celebrated her one hundredth birthday on October 27, 1966, is a living example of her belief that "your body may age but you stay young inside;" her youthful outlook, vivacity, and warm personality have endeared her to all who have been fortunate enough to be her friend; and

WHEREAS the Board of Trustees of Auburn University have unanimously recommended the naming of the new South Women's Dormitory Dining Hall for Mrs. Terrell; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of Mrs. Terrell's devotion and love toward these many Auburn University students, the dining hall described above, shall be designated, named and known as Leila Avary Terrell Hall.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. Terrell.

On motion of Mr. Torbert, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 11. WHEREAS, The relationship that exists between the Federal Government and the government of the states is a matter of vital concern; and

WHEREAS, The states play an indispensable role in our Federal system of government; and

WHEREAS, Unless the trend toward restrictive categoric federal grants is reversed, these grants will so entwine themselves that a state's freedom of movement will be significantly inhibited; and

WHEREAS, There is a need and a justification for broader unfettered grants that will give states and localities more freedom of choice, more opportunity to express their own initiative which reflects their particular needs and preferences, all within the overall direction of national purpose; now, therefore, be it

RESOLVED by the Senate of the State of Alabama, the House of Representatives concurring, That this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following Article as an amendment to the Constitution of the United States.

"ARTICLE

"Beginning with the first full fiscal year after ratification of this amendment by the requisite number of states, there shall be remitted to all of the states of these United States, an amount determined by the Secretary of the Treasury to be equal to not less than 5% of the aggregate total of individual and corporate income taxes paid to the United States during the preceding calendar year.

"Such funds shall be remitted to the States without restriction and this remission of funds shall be in addition to any other federal grant programs which may be enacted by the Congress.

"Each state shall share in such remission in proportion as the population of such State bears to the total population of all of the States, according to the last preceding Federal census."; and, be it further

RESOLVED, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to July 1, 1969, this application for a convention shall no longer be of any force or effect; and, be it further

RESOLVED, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States and the Clerk of the House of Representatives of the United States and to each Member of Congress from this State.

Which was read and referred to the Standing Committee on Rules.

ADJOURNMENT

At 12:30 P. M., on motion of Mr. Morrow, the Senate adjourned until Friday, March 10, 1967, at 11 o'clock A. M.

Yeas 21; Nays 7.

Yeas:

Messrs.:	Dominick	McCarley	Pierce
Albea	Folsom	McDermott	Radney
Bailes	Giles	Morrow	Stone
Branyon	Harris	Nabors	Torbert
Childs	Hawkins	O'Bannon	Turner
Cooper	Lindsey		

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Nays:

Messrs.:	Engel	Lolley	Pelham
Clark	Leonard	Oden	Skidmore

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FIFTH LEGISLATIVE DAY

FRIDAY, MARCH 10, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Charles W. Norfleet, Associate Minister, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Hawkins	O'Bannon
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper			

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Jackson, Oden and Torbert for today.

ELECTION OF MEMBERS OF LEGISLATIVE COMMITTEE ON
EXAMINERS OF PUBLIC ACCOUNTS

The Senate proceeded to the election of Senate members to fill the four vacancies on the Legislative Committee on Examiners of Public Accounts.

Mr. Pierce placed in nomination the name of Mr. Branyon.

Mr. Morrow placed in nomination the name of Mr. Vacca.

Mr. Goodwyn placed in nomination the name of Mr. Folsom.

Mr. Morrow placed in nomination the name of Mr. Radney.

On motion of Mr. Adams, the nominations were closed.

On a call of the roll, Messrs. Branyon, Vacca, Folsom and Radney were unanimously elected as Senate members on the Legislative Committee on Examiners of Public Accounts.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper			

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Nays:

—0

The President and Presiding Officer of the Senate announced that Messrs. Branyon, Vacca, Folsom and Radney were duly elected as members on the Legislative Committee on Examiners of Public Accounts for the term as prescribed by law.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama

State Capitol

Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Joint Resolution No. 4, with a suggested Executive Amendment.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

March 10, 1967

To the Senate of Alabama

State Capitol

Montgomery, Alabama

Gentlemen:

I return to you, the Body in which it originated, Senate Joint Resolution Number 4, without my approval, and respectfully suggest an amendment thereto.

I respectfully suggest that Senate Joint Resolution Number 4 be amended to read as follows:

"BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that each member of the Legislature shall be allowed an additional two hundred dollars a month for expenses incurred in the performance of his duties only during those months, or portion thereof, when the Legislature is not in session, to be paid at the end of each month during his term.

"RESOLVED FURTHER, that this order shall take effect upon approval thereof by the Governor or upon its otherwise becoming a law,

as provided in case of laws under Article 5, Section 125, of the Constitution."

I am aware that members of the Legislature perform many duties while they are not in session and that they receive no compensation or expense allowance for this duty. It is believed that the people of Alabama would approve a reasonable amount to be paid to the legislators who are called upon to perform this duty. An expense allowance of \$200 per month while a legislator is not in session would seem to be quite reasonable. While in session, each legislator would receive the amount presently paid of \$900 per month.

I recommend that the Legislature consider submitting to the people of Alabama a proposed amendment to the Constitution to change the method of paying legislators to an annual basis.

It is estimated that under the proposed executive amendment submitted herewith the State will save during the four years approximately \$1,000,000.00 during regular sessions alone. Savings during an average special session would approximate \$125,000 per special session.

The adoption of the above suggested amendment will remove my objection to the bill.

Respectfully,

LURLEEN B. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Morrow, the foregoing Message from Her Excellency, the Governor, was read and referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Giles:

S. 77. To amend Section 9 of Chapter 1, Title 19, Code of Alabama, 1940, so as to provide that said section shall not apply to any crossing, by any highway, road, or street, at grade or otherwise, of the right-of-way of any railway company operating within the state, by the State of Alabama, by any county, or by any municipality within the state.

Committee on Judiciary.

By Mr. Skidmore:

S. 78. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

Committee on Judiciary.

RESOLUTIONS

Mr. Bailes offered the following Senate Resolution, to-wit:

S. R. 12. ORDERED BY THE SENATE, That the Secretary of the Senate shall furnish each Senator with a copy of bills on first reading within 24 hours after adjournment for the day on which such bills are read the first time.

Which was read and referred to the Standing Committee on Rules.

Mr. Vacca offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a committee to meet during the interim between the effective date of this resolution and the opening day of the regular session of the Legislature in May following. It shall be the duty of this committee to study the federal Highway Safety Act of 1966 and its impact on Alabama, with a view toward determining what legislative action, if any, is needed to enable Alabama to avail itself of any advantages that may accrue to a state under such act, and to put this state in such a position that it will not incur any penalties under such act because of a lack of statutory authority by the proper official or officials of the state and of its political subdivisions to take requested or desired action. It shall also determine what, if any, provisions of such act so adversely affect Alabama as to warrant memorializing Congress to amend, repeal or implement such provisions. The committee shall make a report of its findings, conclusions and recommendations to the two houses not later than the fifth legislative day of the regular session; whereupon the committee shall be dissolved. The committee shall be composed of three Senators, appointed by the President of the Senate, and two members of the House of Representatives appointed by the Speaker. The members of the committee shall elect a chairman and a vice-chairman from among their number. The first meeting of the committee shall be held at such time and place as designated by the President of the Senate; thereafter the committee shall meet on the call of the chairman.

BE IT FURTHER RESOLVED That members of the committee shall be entitled to receive their regular legislative compensation and allowances for each day while in attendance of committee meetings, when not drawing their regular legislative pay; and such committee is authorized to employ such clerks as it may deem necessary, whose compensation shall be paid as provided in Code of Alabama 1940, Title 32, Section 13.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor as provided in Article 5, Section 125 of the Constitution.

Which was read and referred to the Standing Committee on Rules.

Mr. Albea offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. WHEREAS, Dr. Houston Cole, President of Jacksonville State University, is an eminent educator of this State; and

WHEREAS, under his able and devoted administration of the State College at Jacksonville, this institution was developed into a college of university status and its name has recently been changed to indicate this fact; and

WHEREAS, in recognition and appreciation of Dr. Cole's outstanding contributions to the growth and development of Jacksonville University, which have redounded to the City of Jacksonville and, in fact, to the whole State of Alabama, the City of Jacksonville has proclaimed today, March 10, 1967, as "Houston Cole Day in Jacksonville," and the Chamber of Commerce of such city is sponsoring a banquet today to honor Dr. Cole; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby joins with the City of Jacksonville in saluting Dr. Cole today.

BE IT FURTHER RESOLVED That the Hon. Lurleen B. Wallace, Governor of Alabama, is hereby respectfully memorialized to designate this day, March 10, 1967, "Houston Cole Day in Alabama" as a token recognition of the invaluable contributions that Dr. Cole has made to the State of Alabama.

On motion of Mr. Albea, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Goodwyn and Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. WHEREAS, the Alabama YMCA Youth Legislature is one of the most outstanding training programs in the operation of State government for young people in the entire United States of America, and

WHEREAS, the Nineteenth Annual YMCA Youth Legislature is scheduled to meet here in the State Capitol and in the Legislative Chambers for three days beginning on Thursday night, March 30, 1967 and there could be a possible conflict in such program and a session of this Legislature on Friday, March 31, 1967, and

WHEREAS, all members of the Alabama Legislature desire to co-operate with our young people in this fine program and make the House and Senate Chambers available to them for their session of the YMCA Youth Legislature;

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, as follows:

That the House and Senate will not meet on Friday, March 31, 1967 in order to make the Chambers available at such time for the Alabama YMCA Youth Legislature.

AND BE IT FURTHER RESOLVED, that we do hereby wish all delegates, members and sponsors of the Alabama YMCA Youth Legislature continued success in their forthcoming session and congratulate all parties concerned on this outstanding and worthwhile program.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the Message from Her Excellency, the Governor, proposing an Executive Amendment to the Resolution:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

and ordered same returned to the Senate with a favorable report.

On motion of Mr. Goodwyn, the Senate concurred in and adopted the amendment proposed by Her Excellency, the Governor, to the Resolution, S. J. R. 4.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Clark	Goodwyn	Pelham	
Adams	Dominick	Hawkins	Skidmore	
Albea	Folsom	Leonard	Stone	
Bailes	Giles	Lolley	Turner	
Carr	Gilmore	Morrow	Vacca	
Childs	Givhan	Nabors		—22

Nays:

Messrs.:	Engel	McCarley	Pierce	
Branyon	Harris	McDermott	Radney	
Cooper	Lindsey	O'Bannon		—10

which was a majority of the whole number elected to the Senate.

And said Resolution, S. J. R. 4, as thus amended by the Executive Amendment, was then read at length and lost.

Yeas 15; Nays 17.

Yeas:

Messrs.:	Clark	Goodwyn	Pelham	
Adams	Folsom	Leonard	Skidmore	
Albea	Giles	Lolley	Stone	
Carr	Givhan	Nabors	Turner	
				—15

Nays:

Messrs.:	Dominick	Lindsey	O'Bannon	
Bailes	Engel	McCarley	Pierce	
Branyon	Gilmore	McDermott	Radney	
Childs	Harris	Morrow	Vacca	
Cooper	Hawkins			—17

ADJOURNMENT

At 12:01 P. M., on motion of Mr. Morrow, the Senate adjourned until Tuesday, March 14, 1967, at 2 o'clock P. M.

Yeas 17; Nays 13.

Yeas:

Messrs.:	Dominick	McCarley	Pierce	
Adams	Gilmore	McDermott	Radney	
Albea	Harris	Morrow	Skidmore	
Bailes	Hawkins	O'Bannon	Vacca	
Childs	Lindsey			—17

Nays:

Messrs.:	Engel	Leonard	Pelham	
Branyon	Folsom	Lolley	Stone	
Clark	Givhan	Nabors	Turner	
Cooper	Goodwyn			—13

SIXTH LEGISLATIVE DAY

TUESDAY, MARCH 14, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend John E. Vickers, Minister, St. James Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McDermott	Skidmore
Carr	Givhan	Morrow	Stone
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins		

—33

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Torbert and McCarley for today.

MESSAGE FROM THE GOVERNOR

March 14, 1967

Members of the Senate
State of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I transmit herewith an Amendment to the Proclamation issued by the Governor convening the Legislature in special session.

Very truly yours,

/s/ CECIL C. JACKSON, JR.
Cecil C. Jackson, Jr.
Executive Secretary

AMENDMENT TO PROCLAMATION

BY THE
GOVERNOR

WHEREAS, by Proclamation issued on the 27th day of February, 1967, I did convene the Legislature of Alabama in Special Session and did designate specifically certain matters concerning which I deemed action to be necessary, and

WHEREAS, I deem it necessary to amend said Proclamation to include another matter concerning which I deem action to be necessary:

NOW, THEREFORE, I, Lurleen B. Wallace, as Governor of Alabama, under the authority vested in me by the Constitution of Alabama, do hereby amend the Proclamation issued by me on the 27th day of February, 1967, convening the Legislature in Special Session to add the following matter concerning which I deem action to be necessary.

"10. Legislation to amend or modify existing law regarding the taxation of fuel used for aviation and the distribution of proceeds from the tax imposed on aviation fuel."

IN WITNESS whereof I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, Alabama, on this the 14th day of March, 1967.

LURLEEN B. WALLACE,
Governor of Alabama.

ATTEST:

MABEL S. AMOS,
Secretary of State.

GOVERNOR'S MESSAGE

The foregoing Message from Her Excellency, the Governor, was read and ordered filed with the Secretary.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Wednesday, March 15; and when they adjourn on Wednesday, March 15, they adjourn to meet again on Thursday, March 16.

Which was read and referred to the Standing Committee on Rules.

RECESS

At 2:10 P. M., on motion of Mr. Cooper, the Senate took a recess until 2:15 P. M.

Yeas 23; Nays 9.

Yeas:

Messrs.:	Folsom	Leonard	Oden
Adams	Giles	Lindsey	Pelham
Branyon	Givhan	Lolley	Radney
Carr	Goodwyn	McDermott	Skidmore
Cooper	Harris	Nabors	Stone
Engel	Jackson	O'Bannon	Turner

—23

Nays:

Messrs.:	Childs	Hawkins	Pierce
Albea	Dominick	Morrow	Vacca
Bailes	Gilmore		

—9

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McDermott	Skidmore
Carr	Givhan	Morrow	Stone
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins		

—33

MOTION TO RECONSIDER

Mr. Radney moved that the Senate reconsider the vote by which the Resolution, S. J. R. 4, as amended by the Executive Amendment, was lost on the Fifth Legislative Day, which motion was adopted, and the Senate did reconsider said vote.

Yeas 24; Nays 7.

Abstaining 1.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Albea	Givhan	Lolley	Radney	
Carr	Goodwyn	McDermott	Skidmore	
Clark	Harris	Nabors	Stone	
Cooper	Jackson	O'Bannon	Turner	
Dominick	Leonard	Oden	Vacca	
Engel				—24

Nays:

Messrs.:	Branyon	Gilmore	Morrow	
Bailes	Childs	Hawkins	Pelham	
				—7

Abstaining: Mr. Adams —1

And said Resolution:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

as amended by the Executive Amendment, was again read at length and adopted.

Yeas 24; Nays 7.

Abstaining 1.

Yeas:

Messrs.:	Folsom	Lindsey	Pierce	
Albea	Givhan	Lolley	Radney	
Carr	Goodwyn	McDermott	Skidmore	
Clark	Harris	Nabors	Stone	
Cooper	Jackson	O'Bannon	Turner	
Dominick	Leonard	Oden	Vacca	
Engel				—24

Nays:

Messrs.:	Branyon	Gilmore	Morrow	
Bailes	Childs	Hawkins	Pelham	
				—7

Abstaining: Mr. Adams —1

which was a majority of the whole number elected to the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. 79. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Be It Enacted by the Legislature of Alabama:

Section 1. In the sixth judicial circuit of Alabama each judge in such circuit who excuses any person from jury service for reasonable and proper cause pursuant to Code of Alabama 1940, Title 30, Section 5, may in his discretion, direct such person so excused from jury service to serve at some later date to be determined by the court.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 14, Feb. 21, Feb. 28, and March 7, all in the year 1967.

BUFORD BOONE.

Sworn to and subscribed before me March 10, 1967.

LILLA COLLINS,
Notary Public.

(SEAL)

By Messrs. Bailes, Hawkins, Morrow, Childs, Dominick, Gilmore and Vacca:

S. 80. To amend further Code of Alabama 1940, Title 51, Section 657, in relation to distribution and use of a portion of the proceeds of the state's gasoline excise tax.

Committee on Finance and Taxation.

By Mr. Leonard:

S. 81. To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area.

Committee on Counties and
County Boundaries.

By Mr. Turner:

S. 82. To further amend Sections 18, 20 and 21 of Title 30, Code of Alabama 1940, which relate to the duties of the clerk of jury commissions and qualifications of persons on jury rolls.

Committee on Judiciary.

By Mr. Adams:

S. 83. To legalize the towing of certain four-wheel, two-axle trailers on public highways and streets, repealing conflicting laws.

Committee on Commerce and Common Carriers.

By Mr. Jackson:

S. 84. To appropriate from the State General Fund the sum of Fifty Thousand Dollars (\$50,000.00) to the State Building Commission to be used for additional construction and equipping of a public fishing pier at Gulf State Park.

Committee on Finance and Taxation.

By Mr. Dominick:

S. 85. Proposing an amendment to Section 83 of Article 4, Constitution of Alabama, providing for election of the speaker of the house by secret ballot.

Committee on Constitution and
Constitutional Revision and Amendments.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Bailes:

S. 86. To raise revenue; levying and imposing an excise tax upon the sale, distribution, storage, use and consumption of gasoline in lieu of certain county and municipal gasoline taxes; providing for collection and enforcement of the tax by the state department of revenue and for distribution and use of the proceeds of such tax; repealing certain local laws and ordinances levying or imposing like taxes.

Committee on Finance and Taxation.

RESOLUTIONS

Messrs. McDermott, Pelham and Engel offered the following Senate Joint Resolution, to-wit:

SENATE JOINT RESOLUTION NO. 17

S. J. R. 17. WHEREAS, the 10th annual America's Junior Miss Pageant is being held in the port City of Mobile during the week of March 13-March 18, 1967, and

WHEREAS, this annual event has blossomed into one of the Nation's outstanding beauty and personality pageants as a result of the untiring work and efforts of the Mobile Junior Chamber of Commerce and the Board of Directors of the America's Junior Miss Pageant, and

WHEREAS, lovely and charming high school seniors from each of the fifty states of the Nation are taking part in the pageant this week and upon their return home will be able to recount the manifest charms, blessings and advantages of the City of Mobile and of the entire State of Alabama, and

WHEREAS, this pageant is a great achievement for both the City of Mobile and the entire State of Alabama, with the eyes of millions of television viewers being focused on the finals at the Mobile Municipal Auditorium on Saturday, March 18, 1967, and

WHEREAS, the Legislature of Alabama desires to welcome to our State the lovely Junior Misses from throughout the Nation, together with their parents and sponsors, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we do express a most cordial welcome to these lovely young ladies, their parents and sponsors, upon the occasion of their visit to our State. We hope that their stay will be pleasant and enjoyable and one that will not soon be forgotten by them.

BE IT FURTHER RESOLVED that the appreciation and gratitude of the Legislature of Alabama be acknowledged to the Mobile Junior Chamber of Commerce, especially including President Fred W. Killion, Jr. and Pageant Chairman Richard Nelson, and also to the Board of Directors of the America's Junior Miss Pageant, so ably chaired by Mr. George E. Downing, and that we acknowledge the efforts of these persons and their groups as being so necessary to conduct a successful pageant.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Mobile Junior Chamber of Commerce in care of Mr. Fred W. Killion, Jr., to Mr. Richard Nelson as Chairman of the Pageant Committee of the Junior Chamber of Commerce and to Mr. George E. Downing as Chairman of the America's Junior Miss Pageant Board of Directors.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. McDermott, Pelham and Engel offered the following Senate Joint Resolution, to-wit:

SENATE JOINT RESOLUTION NO. 18

S. J. R. 18. WHEREAS, on Friday, March 17, 1967, the anniversary of the birth of Patrick, patron saint of Ireland, Mobile's Friendly Sons of St. Patrick will again celebrate this event, and

WHEREAS, this annual celebration by the Friendly Sons of St. Patrick of the City of Mobile is eagerly anticipated and thoroughly enjoyed not only by the members of that fine association but by all of the citizens of Mobile County, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the best wishes of this body be expressed to the members of the Friendly Sons of St. Patrick on the occasion of their annual celebration this coming Friday, March 17, 1967.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pearson:

H. 1. Relating to Autauga County; levying a county license or excise tax upon the sale, distribution, delivery, storage or taking out of storage of malt or brewed beverages; fixing the amount of such tax; providing for the manner of its payment and collection and the use of its proceeds; prescribing penalties for violations; and providing otherwise for the administration of the act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

LEGAL NOTICE

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama that application will be made for enactment of a local law by the Legislature of Alabama which will be in substance as follows:

An Act to levy in Autauga County a county license or excise tax of one-sixth of one cent on each fluid ounce or fractional part thereof of malt or brewed beverages sold, distributed, delivered, stored or taken out of storage which tax shall be in addition to all other taxes heretofore or hereafter levied on such beverages; to provide that this act shall not have the effect of legalizing the sale, distribution, delivery, storage, taking out of storage or possession of spiritous or vinous beverages in said county; to provide that malt or brewed beverages may be sold or offered for sale only by licensees of the Alcoholic Beverage Control Board for off-premise consumption and on-premise and then only if the tax levied herein is paid; to provide that the tax levied shall be paid by stamps purchased and affixed by the distributor upon the issuance of a permit by the probate judge; to provide that where the additional tax shall have been paid by a distributor or seller such payment shall be sufficient, the intent being that such tax on the identical beverage shall be paid but once, providing for the manner of claiming exemptions where such tax has been paid and requiring that a detailed sworn statement setting out the name and address of the distributor or seller from whom the purchase was made, the date of purchase, the quantity and brand and size of the containers of the beverage purchased or procured and the disposition thereof shall be filed with the probate judge; to require each distributor or seller except those claiming exemptions to file monthly with the probate judge sworn written statements showing the name and address of such distributor or seller, each purchase or procurement of such beverage made, the name and address of the distributor or seller from whom the purchase or procurement, or to whom the sale or disposition, was made during the next preceeding calendar month, the brand, quantity and size of containers, and the date of such purchase and sale; to provide that each day's default in compliance shall constitute a separate offense; to fix the date of filing such state-

ments and the payment of the tax due; to provide that it shall be unlawful for any distributor to engage in business without first obtaining a permit therefor or to continue in business when he is in default of such payment; to require each distributor or seller to file with the probate judge an initial bond in the approximate sum of twice the average monthly amount estimated by the probate judge to be due and thereafter to be adjusted to an amount not less than twice the amount of the tax liability for the preceeding month; to require each distributor or seller to keep at his place of business at all times accurate and complete records and information necessary to determine the amount of tax to which such person may be subject, which records shall be open for inspection and examination to authorized personnel during reasonable hours, and to make it unlawful for any person connected with the administration of this act to divulge such information to other than authorized personnel except when so required by court order; to provide that all necessary forms required shall be furnished by the probate judge at the expense of the county; to provide for the proceeds of the tax levied herein to be paid to the probate judge for deposit in the general fund of the county; to provide that violations of certain provisions shall constitute a misdemeanor and to prescribe penalties therefor; to provide for the severability of the provisions of this act and to make the act effective immediately upon its passage and approval, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 2, Feb. 9, Feb. 16, and Feb. 23, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me March 2, 1967.

LINDA H. BREEDLOVE,
Secretary.

My Commission expires Dec. 9-70.

Also:

By Mr. Pearson:

H. 2. Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF AUTAUGA

NOTICE is herby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Autauga County, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177 shall be five dollars, which shall be collected by the sheriff and deposited in the county treasury and credited to a special fund to be known and designated as the sheriff's fund. Such fund shall be drawn upon by the sheriff and used exclusively for purposes of law enforcement.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 9, Feb. 16, Feb. 23, and Mar. 2, all in the year 1967.

JAMES G. MARTIN.

Sworn to and subscribed before me March 2, 1967.

LINDA H. BREEDLOVE,
Secretary.

My Commission expires Dec. 9-70.

Also:

By Messrs. Owen (Baldwin) and Brannan:

H. 4. To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
BALDWIN COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that, application will be made to the Legislature of

Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Loxley, Baldwin County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Loxley and in addition thereto the following described territory, to-wit:

The North half of the Southwest Quarter of the Northeast Quarter; and the North half of the South half of the Southwest Quarter of the Northeast Quarter of Section 15, Township 5 South, Range 3 East, being 30 acres, more or less.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner, Jr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill to be Entitled an Act To rearrange the boundary lines of the Town of Loxley was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication August 4, 1966 Vol. 77 No. 31

Date of 2nd publication August 11, 1966 Vol. 77 No. 32

Date of 3rd publication August 18, 1966 Vol. 77 No. 33

Date of 4th publication August 25, 1966 Vol. 77 No. 34

Subscribed and sworn before the undersigned this 25 day of Aug., 1966.

DOROTHY MARTIN,
Notary Public, Baldwin County.

J. H. FAULKNER, JR.,
Editor.

Also:

By Mr. Neville:

H. 5. To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623).

Also:

By Mr. Lemley:

H. 19. Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the country treasury.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The chief deputy sheriff and each of the other deputies of sheriff of Blount County whose compensation is payable by the county shall each be entitled to receive the sum of seventy-five dollars (\$75.00) per month in addition to all other compensation prescribed by law, to be paid in the same manner as their other compensation. Provided, that this act shall not apply to any deputy of the sheriff who is employed or appointed under authority of a local law enacted after January 1, 1967.

SECTION 2. All laws or parts of laws which conflict with this act are repealed.

SECTION 3. This act shall become effective on the first day of the month commencing after the date of this enactment.

THE STATE OF ALABAMA, BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 5 day of January, 1967, and ending on the 26 day of January, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 16 day of February, 1967.

MOLLY RYAN.

Also:

By Mr. Lemley:

H. 20. Relating to Blount County: Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF BLOUNT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT TO BE ENTITLED AN ACT

Relating to Blount County; Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. Justices of the peace and notaries public with the powers of justices of the peace in Blount County now acting or hereafter appointed or elected shall have no jurisdiction, either final or for the purpose of binding over to await the action of the grand jury, in any criminal or quasi-criminal case, or in any garnishment or attachment proceedings.

SECTION 2. All criminal and quasi-criminal and all garnishment or attachment proceedings pending in any justice of the peace court or any court of a notary public with powers of a justice of the peace in Blount County shall be transferred forthwith by the justice or notary to the Law and Equity Court of Blount County, and shall proceed as if begun therein.

SECTION 3. All process of attachment, including garnishment and all attempts to institute such process, in courts of justices of the peace in Blount County shall be absolutely void and of no effect, and any justice of the peace, or any notary public with powers of a justice of

the peace or the agent or a clerk of any justice of the peace or notary ex officio who issues a writ of attachment, including garnishment, in contravention of this act shall be guilty of a misdemeanor, and upon conviction shall be liable to a penalty of One hundred dollars (\$100.00), one-half thereof to the use of the defendant in the attachment or garnishment and the remainder to the use of Blount County.

SECTION 4. Nothing in this Act shall be construed to limit the jurisdiction of the Law and Equity Court of Blount County, any Mayors' Court, Records' Court or other court of any municipality in Blount County.

SECTION 5. All laws in conflict herewith are hereby repealed.

SECTION 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 26 day of January, 1967, and ending on the 16 day of February, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 2 day of March, 1967.

MOLLY RYAN.

Also:

By Mr. Lemley:

H. 21. RELATING TO BLOUNT COUNTY: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

RELATING TO BLOUNT COUNTY: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Blount County of violations of the rules of the road, or the laws of this state relating to or regulating traffic of the operation of motor vehicles upon the highways of this state, shall be paid into the fine and forfeiture fund of Blount County, and the remainder shall be remitted by the proper authority to the state treasurer, who shall credit the same to the proper fund in the state treasury.

SECTION 2. Ten per cent of said funds paid into the fine and forfeiture fund of Blount County must be expended by the governing body of Blount County, for the establishment, equipping and maintenance of a library for the use of the judges and officers of the several courts of Blount County.

SECTION 3. All laws or parts of laws which conflict with this act are repealed.

SECTION 4. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 5 day of January, 1967, and ending on the 26 day of January, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 16 day of February, 1967.

MOLLY RYAN.

Also:

By Mr. Lemley:

H. 22. Relating to Blount County, authorizing and directing the governing body of said county to provide for the appointment by the Sheriff of a Deputy Sheriff in addition to all other deputies provided by law.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

RELATING TO BLOUNT COUNTY, AUTHORIZING AND DIRECTING THE GOVERNING BODY OF SAID COUNTY TO PROVIDE FOR THE APPOINTMENT BY THE SHERIFF OF A DEPUTY SHERIFF IN ADDITION TO ALL OTHER DEPUTIES PROVIDED BY LAW.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The governing body of Blount County is hereby authorized and directed to provide sufficient funds monthly from the county treasury for the appointment by the Sheriff of Blount County of a deputy sheriff, such deputy to be in addition to all other deputies provided by law. The governing body of the county shall fix the deputy's salary at not less than four hundred and no/100 (\$400.00) dollars per month, and not more than four hundred fifty and no/100 (\$450.00) dollars per month, said salary to be paid from the general fund of the county.

SECTION 2. All laws or parts of laws which conflict with this act are repealed.

SECTION 3. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 5 day of January, 1967, and ending on the 26 day of January, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 2 day of March, 1967.

MOLLY RYAN.

Also:

By Messrs. Foshee and Jackson (F):

H. 27. To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of Deputy Solicitor of Covington County is hereby abolished.

Section 2. All laws general, special or local in conflict with the provisions of this Act are hereby repealed insofar as they relate to Covington County.

Section 3. That this Act shall go into effect immediately upon its passage or approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 2, February 9, February 16, and February 23, all in the year 1967.

ED DANNELLY.

Sworn to and subscribed before me 24 February, 1967.

LORA JONES,
Notary Public.

Also:

By Messrs. Foshee and Jackson (F):

H. 28. To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

Be It Enacted by the Legislature of Alabama:

Section 1. That Local Act No. 149 of the Legislature of 1927 (Local Acts 1927, Page 64) entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury," be and the same is hereby repealed.

Section 2. This Act shall go into effect immediately upon its passage or approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 2, February 9, February 16, and February 23, all in the year 1967.

ED DANNELLY.

Sworn to and subscribed before me 24 February, 1967.

LORA JONES,
Notary Public.

Also:

By Messrs. Foshee and Jackson (F):

H. 29. Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. INTERMEDIATE COURT CREATED. There is hereby established in Covington County a court with County-wide jurisdiction of criminal cases and civil actions, as hereinafter provided, which court shall make final records in all cases except cases cognizable before justices of the peace. The court shall be known as "The Covington County, Alabama, Intermediate Court." It shall be in lieu of the Juvenile Court and all criminal divisions of any inferior courts, which court and criminal divisions are hereby abolished.

Section 2. JURISDICTION. (a) Except as provided in Subsection (b), the Court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases and all matters under Article 3 of Chapter 4, Title 34, Code of Alabama 1940 as last amended including paternity proceedings under the provisions of Title 27, Sections 12(1)-12(10), Code of Alabama, Recompiled 1958, and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved cognizable before the Circuit Court, or a county court, or the Juvenile Court, or the Probate Court, or Justice of the Peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have the authority to punish contempts by fine not exceeding Fifty dollars (\$50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure, and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and lawmade rules governing the practice and procedure of courts of record. (b) The Court shall not have power to try persons charged with felonies. It shall not have jurisdiction of actions of ejectment or of any civil action when the matter or sum in controversy exceeds \$1500.00, nor take cognizance of any matter or proceeding in equity. (c) In actions for the recovery of personal property pledged, mortgaged, or otherwise aliened to secure the payment of a debt, the amount or sum in controversy shall be the amount due on the debt. (d) The Judge of the Court shall have and exercises preliminary jurisdiction in felony cases, and the Clerk and the Clerk's Deputy shall have power to take complaints and issue warrants in preliminary proceedings commenced in said Court.

Section 3. JUDGE. (a) A Judge of the Court herein established shall be elected by the qualified electors of the county at the general election of 1970, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. (b) Immediately after the passage of this Act, the Governor shall appoint and commission a Judge of the Court herein established, who shall hold office until his successor is elected or appointed as provided herein. (c) The Judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment or election, a qualified elector of Covington County, Alabama, learned in the law, and has been licensed to practice law in this State. Any vacancy occurring in the office of Judge shall be filled by appointment as provided in Section 158 of the Constitution. (d) The Judge shall receive an annual salary of \$11,500.00 payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid. (e) The Judge shall have authority to: 1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; 2) administer oaths and take acknowledgments; 3) issue search warrants; 4) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the Judge shall not have or exercise the powers, jurisdiction, or authority of equity courts. (f) The Judge shall be provided, at the expense of the county, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court. (g) In the event the Judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code of Alabama.

Section 4. SOLICITOR. (a) There is hereby created the office of County Solicitor of Covington County. (b) The County Solicitor of Covington County shall be elected by the qualified electors of the County at the general election of 1970, and every four (4) years thereafter. His terms shall be for four (4) years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. (c) Immediately after the passage of this Act, the Governor shall appoint and commission a County Solicitor who shall hold office until his successor is elected or appointed as provided herein. The County Solicitor shall, before entering upon the duties of his office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of County Solicitor unless he is at the time of his appointment or election, a qualified elector of Covington County, Alabama, learned in the law, and has been licensed to practice law in this State. Any vacancy occurring in the office of County Solicitor shall be filled by appointment as provided in Section 158 of the Constitution. (d) The County Solicitor shall receive an annual salary of \$3600.00 payable out of the general fund of the County in equal monthly installments as the salaries of other county officers are paid. (e) It shall be the duty of the County Solicitor of Covington County to represent the State of Alabama in all cases in the Covington County Intermediate Court in all criminal and juvenile cases cognizable therein, including preliminary proceedings, applications, bail and Habeas Corpus and other criminal and quasi-criminal proceedings requiring the services of a prosecuting attorney. (f) The

County Solicitor shall be clothed with all other powers and shall be charged with all duties now given or imposed upon a county solicitor by laws now in force or hereafter to be prescribed by law for deputy solicitors.

Section 5. SESSIONS. The Court shall be open at all times for the transaction of business, and the Judge shall by orders spread upon the minutes fix the time for holding regular and special sessions thereof.

The governing body of Covington County shall provide a suitable place in the Courthouse for the holding of said Court and for the transaction of its business, including office space, and furnish all the books, stationery, papers and other materials as are provided for the Circuit Court, or which may be necessary for the operation and maintenance of the Court.

Section 6. PRACTICE AND PROCEDURE. (a) The Court shall have three divisions, namely law, criminal, and juvenile. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts. (b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days.

Section 7. JURIES. The Court shall not draw, organize, or empanel grand or petit juries. The Judge shall decide all issues of fact without the intervention of a jury.

Section 8. COSTS. (a) For their attendance upon the Court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the Circuit Court, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the Circuit Court. (b) In addition to the fees for witnesses the Court shall have authority to tax costs and fees for the use of the officers of the county as follows: (1) In each civil action at law the same as in circuit court. (2) In each criminal case involving an offense of which justices of the peace have final jurisdiction, except the offense of driving while intoxicated, the same as in justice courts. (3) In every other criminal case, and in cases involving the offense of driving while intoxicated, the same as in circuit court. (c) A trial tax of \$3.00 shall be collected for the use of the county in each civil action and criminal case. (d) No cost shall be taxed in juvenile cases. (e) The fees of the Clerk of the Covington County Intermediate Court and Sheriff of said county in cases where a nolle prosequi is ordered, or where cases are abated by the death of a defendant shall be paid out of the fine and forfeiture fund of Covington County. (f) All fines and forfeitures, except those required by law to be paid or remitted to the State Treasurer, or other state officer or department shall be deposited by the Clerk in the fine and forfeiture fund of the county. The Clerk shall retain his own fees and the fees of the Sheriff and witnesses and shall pay them to the parties entitled thereto. All other items of costs shall be deposited in the general fund of the county, unless otherwise provided by State law.

Section 9. CRIMINAL PROSECUTIONS. No prosecution shall be commenced in such Court except upon sworn complaint made to either the Judge or the Clerk or the Clerk's Deputy, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is

guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The Clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

Section 10. JUDGMENTS. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. APPEALS. Any party aggrieved by a judgment rendered against him may appeal to the Circuit Court as herein provided. (1) If the case is a civil case the appeal is taken by giving written notice within fifteen days after rendition of the judgment and execution of a bond, with sufficient securities, for payment of costs in the case, in both the Intermediate Court and the Circuit Court. Upon giving such notice and bond for costs execution on the judgment is thereby stayed pending the appeal to the Circuit Court. Such appeals shall be governed by Article 6 Chapter 8, Title 13, Code of Alabama, 1940, except as herein otherwise proved. (2) If the case arises under the jurisdiction of the Court with respect to juveniles, the appeal shall be governed by Sections 371 and 372 of Title 13 of the Code of Alabama of 1940. (3) In every criminal case the appeal shall be governed by Section 349 of Title 13 of the Code of Alabama of 1940.

Section 12. CLERK. (a) The Clerk of the Circuit Court of Covington County, Alabama, shall be ex officio clerk of the Court herein established. He shall have power to appoint a Deputy Clerk and delegate to him such authority as may be necessary to carry out the provisions of this Act. The Clerk shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the Court's business. He shall keep a seal, which shall be the official seal adopted by the Court. (b) It shall be the duty of the Clerk to keep all the records, files, and dockets of the Court in an orderly manner and to perform all other duties required by the Judge. (c) The Clerk shall have power and authority: 1) to administer oaths and take acknowledgments and affidavits; 2) to sign and issue all processes issuing out of the Court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; 3) to approve bonds in civil cases; 4) to enter all judgments, orders, and decrees of the Court; 5) to certify all appeals and transcripts; 6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of the circuit courts; d) the Clerk shall attend the sessions of the Court in person or by Deputy.

Section 13. The Sheriff shall attend the sessions of the Court in person or by Deputy. He shall execute all writs and processes of the Court, and perform such other duties as he may be required to perform in the Circuit Court.

Section 14. BAILIFF. The Bailiff of the Circuit Court of Covington County, Alabama, shall be ex officio Bailiff of the Court created herein, and he shall attend all sessions of the Court, and perform the duties, and have the authority provided by law for Bailiffs. In the event the Bailiff of the Circuit Court of Covington County, Alabama, is incapacitated, or otherwise unable to attend, the Judge of the Court herein created shall have the right to appoint a Bailiff who shall receive as compensation for the performance of his duties a sum not to exceed \$10.00 per day to be paid out of the general fund of the county upon the warrant approved by the Judge of this Court.

Section 15. **TRANSFER OF CASES.** (a) The presiding Judge of the Circuit Court of Covington County shall, on the effective date of this Act or as soon thereafter as is practicable, transfer to the Court created herein (1) all civil cases pending in the Circuit Court in which the amount in controversy is less than \$1500.00 and no jury has been demanded and such cases shall proceed as though begun therein (2) all cases pending in the Circuit Court against persons charged with a misdemeanor, and such cases shall proceed as though begun therein. After the effective date of this Act, every indictment returned by a grand jury of Covington County which charges a person with a misdemeanor shall be transferred immediately to the Court herein and all subsequent proceedings on the indictment shall be had therein. (b) The Probate Judge of Covington County shall, on the effective date of this Act or as soon thereafter as its practicable, transfer to the Court herein created all juvenile, criminal and quasi-criminal cases pending in the Probate Court of Covington County and such cases shall proceed as though begun therein.

Section 16. **SEVERABILITY.** The provisions of this Act are severable. If any part is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 17. **REPEALER.** All laws which conflict with this Act are repealed.

Section 18. **EFFECTIVE DATE.** This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 2, February 9, February 16, and February 23, all in the year 1967.

ED DANNELLY.

Sworn to and subscribed before me 24 February, 1967.

LORA JONES,
Notary Public.

Also:

By Messrs. Foshee and Jackson (F):

H. 30. To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

Be It Enacted by the Legislature of Alabama:

Section 1. The criminal and quasi-criminal jurisdiction now conferred by law upon justice of the peace courts and notaries with the powers of a justice of the peace in Covington County is hereby abolished. Hereafter, it shall not be lawful for any justice of the peace in Covington County nor any notary with the powers of a justice of the peace to have or exercise jurisdiction in any criminal case or quasi-criminal case. The jurisdiction conferred by general laws upon such officers or courts is hereby withdrawn and taken from them.

Section 2. This Act shall not affect any case or proceeding pending on its effective date.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 2, February 9, February 16, and February 23, all in the year 1967.

ED DANNELLY.

Sworn to and subscribed before me 24 February, 1967.

LORA JONES,
Notary Public.

Also:

By Messrs. Drake, Starnes and McDonald:

H. 32. Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Cullman County shall be entitled to a salary of \$8,500 per annum and an annual expense allowance of \$1,000 which salary and allowance shall be paid in equal monthly installments out of the general fund of the county. The provisions of this section shall supersede Section 1 of Act No. 297, H. 554, Regular Session 1957 (Acts 1957, p. 379), as amended with respect to the total compensation of the sheriff in said county.

Section 2. The salary of the chief deputy of said county shall be \$5,400 per annum.

Section 3. In addition to the chief deputy and the four additional deputies now allowed by law to the sheriff of said county, the sheriff is hereby authorized to appoint two additional deputies so as to allow a total of six deputies sheriff in addition to the chief deputy in Cullman County. All such deputies shall serve at the pleasure of the sheriff and for the performance of their duties each shall be entitled to a salary of \$5,200 per annum.

Section 4. The clerk now serving in the office of the sheriff of Cullman County shall be designated the chief clerk of the office of the sheriff and shall be entitled to a salary of \$4,500 per annum. The sheriff of said county is hereby authorized to appoint one additional clerk for his office who shall serve at the pleasure of the sheriff and who shall be entitled to a salary of \$3,600 per annum.

Section 5. For the safe, efficient and sanitary operation of the jail and care of prisoners, the sheriff is hereby authorized to appoint one additional jailer and to employ a regular cook to prepare meals for the prisoners. The salaries of each of the jailers shall be \$4,500 per annum and the salary of the cook shall be \$2,000 per annum.

Section 6. All salaries and allowances provided for in this Act shall be the total compensation of each such officer or employee and shall be paid in equal monthly installments out of the general fund of the county upon the order of the county governing body.

Section 7. The sheriff shall for his official use and the use of his deputies be provided with four automobiles of his choice, with the purchase price and the cost of operation and maintenance of such automobiles to be paid for out of the general fund of the county.

Section 8. All laws and parts of laws in conflict with this Act are repealed and Act No. 16, H. 78, 1962 Special Session (Acts 1962, p. 23) and Act No. 154, S. 122, First Special Session 1964 (Acts 1964 First and Second Special Sessions, p. 219) as amended are specifically repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 5, January 12, January 19, and January 26, all in the year 1967.

ROBERT BRYAN.

Sworn to and subscribed before me March 2, 1967.

SUE EVANS,
Notary Public.

My Commission Expires May 27, 1967.

Also:

By Messrs. Drake, Starnes and McDonald:

H. 33. Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of the Cullman County Intermediate Court shall be provided a sum not exceeding \$2400 per annum for employment of secretarial assistance. Such allowance shall be payable as directed by the judge of said court from the general funds of Cullman County on requisition signed by the judge.

Section 2. This Act is supplemental to Act No. 163, H. B. 168, approved March 30, 1965 (Acts of Alabama, Spec. Sess. 1965, p. 209).

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 5, February 14, February 19, and February 26, all in the year 1967.

ROBERT BRYAN.

Sworn to and subscribed before me March 2, 1967.

SUE EVANS,
Notary Public.

My Commission Expires May 27, 1967.

Also:

By Messrs. Drake, Starnes and McDonald:

H. 35. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. All criminal and quasi-criminal jurisdiction of whatever kind, whether final or for the purpose of binding over to the grand jury, is hereby withdrawn and taken away from justices of the peace and notaries public with powers of justices of the peace within the limits of Cullman County. All criminal and quasi-criminal jurisdiction heretofore vested in and exercised by justices of the peace and notaries with powers of justices of the peace within the boundaries of the county is hereby vested in the Cullman County Intermediate Court. Nothing in this Act shall affect any case or proceeding pending on the date this Act becomes effective.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry F. Arnold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the CULLMAN TRIBUNE, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 5, January 12, January 19, and January 26, all in the year 1967.

HENRY F. ARNOLD.

Sworn to and subscribed before me 30th January, 1967.

FRED W. ABT,
notary public.

Also:

By Messrs. Drake, Starnes and McDonald:

H. 36. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Be It Enacted by the Legislature of Alabama:

Section 1. No constable within the boundaries of Cullman County shall be authorized to execute any service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public with powers of justices of the peace; nor shall any constable in such county be authorized to make an arrest unless the failure to make such arrest may be reasonably expected to result in bodily harm and injury or death.

Section 2. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me Fred W. Abt a Notary Public in and for said County and State, personally appeared Henry Frank Arnold, publisher of THE CULLMAN TRIBUNE, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: January 5, 12, 19, 26, 1967.

HENRY F. ARNOLD,
Publisher.

Sworn to and subscribed before me this, the 30th day of January 1967.

FRED W. ABT,
Notary Public.

Also:

By Mr. Steagall:

H. 37. To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County, is amended to read as follows:

"Section 1. The deputy district attorney of Dale County shall be entitled to a salary of two hundred dollars a month and in addition shall be paid an expense allowance of fifty dollars a month. Such salary and expense allowance shall be payable from the county treasury at the end of each month on warrants drawn in the manner prescribed by law."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Ozark, Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 19, January 26, February 2, and February 9, all in the year 1967.

JOHN Q. ADAMS.

Sworn to and subscribed before me March 1st, 1967.

BETTYE B. GARRETT,
Notary Public.

Also:

By Mr. Steagall:

H. 38. Relating to Dale County; providing for the time of closing county offices.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Dale County; providing for the time of closing county offices.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue or other like county governing body of Dale County may, in its discretion and by resolution duly adopted and recorded in its minutes, authorize the county offices of the officials in the courthouse or in other buildings used for county purposes to be closed one-half day on each of any two days of each week.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Ozark, Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 19, January 26, February 2, and February 9, all in the year 1967.

JOHN Q. ADAMS.

Sworn to and subscribed before me March 1st, 1967.

BETTYE B. GARRETT,
Notary Public.

Also:

By Mr. Steagall:

H. 39. To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a board of jury supervisors in and for Dale County which board shall be in lieu of the jury commission of said county and which shall have all the power, authority, duties, and jurisdiction which is now conferred by law or which may hereafter be conferred by law upon jury boards and jury commissions in this State.

Section 2. The board of jury supervisors shall be composed of five members, with each county commissioner's district to be represented in the membership of the board by a qualified elector of the district. Such members of the board together with a clerk for the board shall be appointed by the governor for and only during the tenure of office of the governor making the appointment and until their successors are appointed and qualified. Said clerk shall take the oath of office, assist the members of the board in maintaining adequate and sufficient names on the jury rolls, and perform all the duties now required by law of clerks of jury boards and jury commissions in this State. Said clerk shall receive for his services a salary of Fifty dollars (\$50) per month, to be paid out of the county treasury upon the order of the president of the board of jury supervisors.

Section 3. Upon the appointment and qualification of the members of the board created herein, the persons heretofore acting as the jury commission shall deliver to said board the jury roll, all books, papers, cards and other records of the jury commission whereupon said commission shall be abolished. Within ten days thereafter, the members of the board created herein shall meet and organize as such board by electing one of their number as president of the board and shall begin the discharge of the duties imposed and required of them. Any three members shall constitute a quorum for the discharge of any and all business properly coming before the board. The board shall meet at such times as now required by law and in addition shall be authorized to meet at such other times as the board may deem necessary for the efficient discharge of its duties. For the performance of their duties each member of the board of jury supervisors shall be paid the sum of ten dollars per day for the time actually engaged in the discharge of his duties as such member, to be paid out of the county treasury upon the

warrant of the probate judge of the county. Such warrants are to be issued by such probate judge upon evidence satisfactory to him that such service has been rendered; but the compensation of each member of the board shall not exceed five hundred dollars for any one year of his term.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Ozark, Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 19, January 26, February 2, and February 9, all in the year 1967.

JOHN Q. ADAMS.

Sworn to and subscribed before me March 1st, 1967.

BETTYE B. GARRETT,
Notary Public.

Also:

By Messrs. Foshee and Jackson (F):

H. 44. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

With notice and proof thereto attached and herewith exhibited as follows:

To be introduced in the next special session of the Alabama Legislature. (Local bill, Geneva County.)

A BILL TO BE ENTITLED AN ACT

Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section I.

The fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama, Title

14, Section 177 shall be five dollars, in Geneva County, Alabama which shall be collected by the sheriff and credited to a special fund or account of the sheriff and shall be used exclusively by the sheriff for uniforms, ammunition and equipment or any other purpose for the benefit of the sheriff's office or duties.

Section II.

This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA GENEVA COUNTY

I, Orsen Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of four consecutive weeks, commencing Jan. 26, 1967, and ending Feb. 16, 1967.

WITNESS my hand this 27 day of February, 1967.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 27 day of Feb., 1967.

KAROL L. FLEMING,
Notary Public.

Also:

By Mr. Beck:

H. 61. To extend, alter and rearrange the boundary lines and corporate limits of the city of Fort Payne, in DeKalb County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local act, law or bill will be introduced in the Legislature of The State of Alabama, at the First Session of Legislature of the State of Alabama in 1967, for the purpose of and in substance as follows:

An act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne the following described territory:

Beginning at the NW corner of Section 29, Township 6 South, Range 9 East of the Huntsville-Meridian in DeKalb County Alabama, run eastward with the north boundry of said Section 29 and to the NE corner thereof; thence continue eastward with the north boundry of Section 28, Township 6 South, Range 9 East to the NE corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 28; thence run in a northeasterly direction across

Section 21, Township 6 South, Range 9 East and to the NE corner of said Section 21; thence run in a northeasterly direction across Section 15; Township 6 South, Range 9 East to the NW corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 15; thence run eastward with the north boundary of said Section 15, Township 6 South, Range 9 East and to the NE corner thereof; thence continue eastward with the north boundary of Section 14, Township 6 South, Range 9 East and to the NE corner thereof; thence run southeastward diagonally across the NW $\frac{1}{4}$ of Section 13, Township 6 South, Range 9 East and to the center point of said Section 13; thence run southwesterly across the SW $\frac{1}{4}$ of said Section 13 and the NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 9 East to the half mile corner on the east boundary of Section 23, Township 6 South, Range 9 East; thence continue southwestward across the SE $\frac{1}{4}$ of said Section 23, the NE $\frac{1}{4}$, the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 26, Township 6 South, Range 9 East and to the SW corner of said Section 26; thence run southward with the east boundary of Section 34, Township 6 South, Range 9 East and the east boundary of Section 3, Township 7 South, Range 9 East and to the SE corner of said Section 3; thence run southwesterly in a straight line across Sections 10, 15, 16, 21, 20 and 29, Township 7 South, Range 9 East to the SW corner of said Section 29; thence run westward with the south boundary of Section 30, Township 7 South, Range 9 East, the south boundary of Sections 25 and 26, Township 7 South, Range 8 East and to the SW corner of said Section 26; thence run northward with the west boundaries of Sections 26, 23, and 14, Township 7 South, Range 8 East and to the NW corner of said Section 14; thence run northeasterly in a straight line across Sections 11, 2 and 1, Township 7 South, Range 8 East, thence continue northeasterly on said straight line across Section 36, Township 6 South, Range 8 East; thence continue on said straight line across Sections 31, and 30, Township 6 South, Range 9 East and to the NE corner of said Section 30, which is also the NW corner of Section 29, Township 6 South, Range 9 East, the point of beginning.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA DEKALB COUNTY

BEFORE ME, Mary Ruth Brown, A Notary public in and for the State of Alabama at Large, personally appeared Charles E. Hurley, who being by me first duly sworn, deposes and says: That he is General Manager of the TIMES-JOURNAL, which, during the times herein mentioned, was a newspaper of general circulation, published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the State of Alabama, in said newspaper, in the issues thereof, published successively on November 29, December 6, 13 & 20, 1966.

CHARLES E. HURLEY.

Sworn to and subscribed before me this the 2nd day of March, A. D., 1967.

MARY RUTH BROWN,
Notary Public.

Also:

By Mr. Young:

H. 62. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA,
RANDOLPH COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of said town, in addition to the territory now within such corporate limits, the following described territory:

The Southwest quarter of the Northeast quarter of Section 17; the Southeast quarter of the Southeast quarter of Section 8; the Southeast quarter of the Southwest quarter and the East Half of the Northeast quarter of Section 16; and the Southwest quarter of the Northwest quarter of Section 15, all in Township 19, South, Range 12, East in Randolph County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 19, Jan. 26, Feb. 2, and Feb. 9, all in the year 1967.

R. T. BAILEY.

Sworn to and subscribed before me Feb. 9, 1967.

TURNER L. POOLE,
Clerk, Circuit Court.

Also:

By Mr. Smith (P):

H. 64. To regulate further the procedure for the abandoning of the commission form of government and the reorganization of the city government thereafter in all cities of this State which have populations of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census; to provide for the reorganization of such cities under a mayor and council; to prescribe the number of aldermen which

shall comprise the council; to provide for the election of the mayor and aldermen and to prescribe their terms of office and their compensation.

Also:

By Mr. Owens (W):

H. 6. To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama, are hereby altered, rearranged and extended so as to include within the town, in addition to other territory now within such corporate limits, all of the following described territory which is not now already within such corporate limits:

Commence at the Northeast corner of Section 13, Township 22 South, Range 6 West, Bibb County, Alabama, said Northeast corner of Section 13 being the beginning point of this description; thence run West to the half mile corner on the North boundary of said Section; thence South to the Center of said Section; thence West to the half-mile corner on the West boundary of Section 13; thence South to the Northeast corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 14, Township 22 South, Range 6 West; thence West to the Northwest corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence North to the Northeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 14; thence West to the Southeast corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 14; thence North to the Northeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence West to the Northwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 15, Township 22 South, Range 6 West; thence South to the Southwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 15; thence East to the Southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence South to the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 15; thence East to the Southeast corner of said Section 15; thence South to the Southwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 23, Township 22 South, Range 6 West; thence East to the Southeast corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 19, Township 22 South, Range 5 West; thence North to the Northeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 18, Township 22 South, Range 5 West; thence West to the Northwest corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 18; thence North to the Northeast corner of Section 13, Township 22, South, Range 6 West, and to the point of beginning of this description.

The land described herein embraces an area of 3.81 square miles and adds to the Town of West Blocton an area of 3.38 square miles.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on, Feb. 9, Feb. 16, Feb. 23, and March 2, all in the year 1967.

J. W. OAKLEY, SR.

Sworn to and subscribed before me March 2, 1967.

MARVIN HUETT,
Notary Public.

Also:

By Mr. Tuck:

H. 45. To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) is further amended to read as follows:

"Section 2. The judge of probate may employ such clerical assistants as he may deem necessary for the efficient performance of the duties required and shall fix the amount of their compensation payable from the general funds of the county, subject to the approval of the court of county commissioners."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12-29-66, 1-5-67, 1-12-67, and 1-19, all in the year 1967.

R. K. MARTIN.

Sworn to and subscribed before me Feb. 25, 1967.

GENEVA L. MATTISON,
Notary Public in and for Greene Co., Ala.

Also:

By Mr. Tuck:

H. 46. Relating to Greene County; providing for closing county offices on Saturdays.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Greene County; providing for closing county offices on Saturdays.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners of Greene County may, in its discretion and by resolution duly adopted and recorded in its minutes, authorize the offices of the officials in the courthouse or in other buildings used for county purposes to be closed on Saturday afternoons in addition to any other time such offices may be authorized to be closed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12-29-66, 1-5-67, 1-12-67, and 1-19, all in the year 1967.

R. K. MARTIN.

Sworn to and subscribed before me Feb. 25, 1967.

GENEVA L. MATTISON,
Notary Public in and for Greene Co., Ala.

Also:

By Messrs. Dobbs and Shumate:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section (1) In Walker County, no public school or school board of trustees or school district shall be required or permitted to contribute from public subscriptions or sales or any merchandise any sums of money for payment of utility bills incurred by any public school under the supervision and control of any school board of trustees located within any school district within said county. All utility bills including bills for lights, electrical power, heating fuels and janitorial supplies shall be forwarded to and paid by the county board of education from public school funds.

Section (2) The provisions of this act shall not affect any rights, liabilities and duties that matured, penalties that were incurred or proceedings that were begun prior to the effective date of this act.

Section (3) The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section (4) All laws or parts of laws which conflict with this Act are repealed.

Section (5) This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carmon A. Parsons, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 11, Jan. 18, Jan. 25, and Feb. 1, all in the year 1967.

CARMON A. PARSONS.

Sworn to and subscribed before me March 1, 1967.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Dobbs and Shumate:

H. 73. To amend Act No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act. No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 103. H. 372. Regular Session 1963, approved June 27, 1963, an act fixing the compensation of the county superintendent of education of Walker County (Acts 1963, v. 1, p. 486) is hereby amended to read as follows:

"Section 1. The superintendent of education of Walker County shall be entitled to receive for the performance of his duties an annual salary of \$12,000 and such other allowances as may be prescribed by law, which salary shall be paid in equal monthly installments out of the public school funds of the county."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carmon A. Parsons, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 1, Feb. 8, Feb. 15, and Feb. 22, all in the year 1967.

CARMON A. PARSONS.

Sworn to and subscribed before me Feb. 28, 1967.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Dobbs and Shumate:

H. 74. To regulate further the salary of the secretary of the sheriff of Walker County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate further the salary of the secretary of the sheriff of Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The secretary of the sheriff of Walker County, whose employment is authorized under the provisions of Act No. 63, H. 67, Second Special Session 1963 (Acts 1963, p. 224), shall be entitled to receive an annual salary of \$3,600 which shall be paid from the county treasury in twelve equal monthly installments.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: January 5, 1967 January 12, 1967 January 19, 1967 January 26, 1967

THE DAILY MOUNTAIN EAGLE,
Carmon A. Parsons.

Sworn and subscribed to before me, This 1 day of March, 1967.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 13. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; to provide further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 14. To provide for the appointment of a deputy district attorney for the Seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Also:

By Messrs. Lybrand and Burgess:

H. 17. To provide further for the compensation of the circuit court judges of the seventh judicial circuit.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 15. To apply only in counties having populations of not less than 76,000 nor more than 96,000, abolishing the office of clerk of the jury commission, providing that the circuit court clerk shall perform the duties of clerk of the jury commission, fixing the compensation of the circuit court clerk for performance of such additional duties, and authorizing the county to provide for employment of additional clerical help by the circuit clerk to assist him in the performance of such duties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the reading at length of H. B. 1, the title of which is set out in the foregoing Message from the House, was begun by the Secretary.

On motion of Mr. Cooper, further reading at length of the bill was dispensed with and same approved by the Senate.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Engel	Leonard	Oden
Adams	Folsom	Lindsey	Pelham
Branyon	Giles	Lolley	Radney
Carr	Goodwyn	McDermott	Skidmore
Clark	Harris	Nabors	Stone
Cooper	Jackson	O'Bannon	Turner

—23

Nays:

Messrs.:	Childs	Gilmore	Morrow
Albea	Dominick	Hawkins	Vacca
Bailes			

—8

And said Bill, H. B. 1, was then referred to the Standing Committee on Local Legislation No. 1.

And the following House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 2, 4, 5, 19, 20, 21, 22, 27, 28, 29, 30, 32, 33, 35, 36, 37, 38, 39, 44, 61, 62, 64, 6, 45, 46, 72, 73, 74, 13, 17 and 15. To the Committee on Local Legislation No. 1.

H. B. 14. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Williams:

H. 81. To authorize the governing bodies of counties having a population of not less than 36,600 nor more than 37,600 according to the 1960 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Also:

By Mr. Fite:

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. That it shall be unlawful for any person, firm or corporation to use any steel trap or other similar device in Marion County, Alabama, for any purpose whatsoever, except as herein expressly provided.

Section 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars for each offense.

Section 3. Provided, however, that any resident of this County may set such steel trap or similar device within the curtilage of his home.

Section 5. This act shall become effective on the approval of the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 23, 1966; Dec. 30, 1966; Jan. 6, 1967; and Jan. 13, 1967.

W. D. SMITH, JR.

Sworn to and subscribed before me March 6, 1967.

ROBERT H. THOMAS,
Notary Public.

Also:

By Mr. Fite:

H. 99. To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I, p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I., p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I., p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966, be and the same is hereby amended to read as follows:

"Section 5. The judge of the Marion County Superior Court shall receive a salary of five hundred dollars per month payable out of the county treasury. In addition to the compensation provided herein, the judge of said court shall be entitled to receive the sum of one hundred dollars per month as reimbursement for expenses incurred by him in the performance of his duties as the judge of such court."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Nov. 23, Nov. 30, Dec. 7, and Dec. 14, all in the year 1966.

W. D. SMITH, JR.

Sworn to and subscribed before me March 6, 1967.

ROBERT H. THOMAS,
Notary Public.

Also:

By Messrs. Slate and Doss:

H. 107. To amend Sections 3, 13, and 21 of Act No. 115, H. 191, Special Session 1966 (Acts 1966, p. 147), an act to create the office of commissioner of licenses in counties having populations of not less than 57,000 nor more than 61,000, with respect to the compensation of the commissioner of licenses, and giving the amendatory act retroactive effect.

Also:

By Messrs. Shumate and Dobbs:

H. 113. Relating to Walker County: to amend Act No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol. I, p. 166).

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County: to amend Act. No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol I, p. 166).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 6 of Act No. 118, H. 436, approved July 12, 1957, entitled "An Act Relating to Walker County; providing further for the government of the county; abolishing the Board of Revenue, and creating in lieu thereof the Board of Finance and Control; providing for the selection of the members of the Board of Finance and Control; and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the Board of Finance and Control, and for the powers and duties of its individual members; and repealing certain laws superseded by the provisions of this Act," (Acts of Alabama 1957, Vol I, p. 166) is hereby amended to read as follows:

"Section 6. The Board of Finance and Control of Walker County shall have all the jurisdiction and powers which are or may hereafter be vested in the courts of county commissioners, boards of revenue or like governing bodies of this State, except as otherwise in this Act provided; and the members thereof shall perform all the duties and services and exercise all the powers which are, or may be, provided by law for the members of courts of county commissioners, board of revenue or like county governing bodies of this State."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: January 12, 1967 January 19, 1967 January 26, 1967 February 2, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 6 day of March, 1967

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Culver, Bank, Thomas and Brown:

H. 71. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

Also:

By Messrs. Collier, Pearson and Headley:

H. 76. To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To apply only in the nineteenth judicial circuit of Alabama: authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney for the nineteenth judicial circuit of Alabama may appoint a secretary who shall serve at his pleasure and perform such duties as he may direct. The compensation of such secretary shall be a salary of three thousand six hundred dollars (\$3,600) per annum, which shall be paid in monthly installments on warrant of the district attorney, by the counties constituting the nineteenth judicial circuit, in the following proportions: Elmore County shall pay 40.72 per cent; Chilton County, 34.28 per cent; and Autauga County, 25.00 percent.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 3. This Act supersedes Act No. 23, H. 3, Second Special Session 1955 (Acts of Alabama 1955, v. 1, p. 132) which is in conflict herewith and is hereby expressly repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, Bob Tucker, Publisher of the CHILTON COUNTY NEWS, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of: 29Th day of December, 1966; 5Th day of January, 1967; 12Th day of January, 1967; 19Th day of January, 1967.

BOB TUCKER,
Publisher.

Subscribed and sworn to before me this 2nd day of February, 1967.

PLUMA B. MUNCY,
Notary Public.

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney for the nineteenth judicial circuit of Alabama may appoint a secretary who shall serve at his pleasure and perform such duties as he may direct. The compensation of such secretary shall be a salary of three thousand six hundred dollars (\$3,600) per annum, which shall be paid in monthly installments on warrant of the district attorney, by the counties constituting the nineteenth judicial circuit, in the following proportions: Elmore County shall pay 40.72 per cent; Chilton County, 34.28 per cent; and Autauga County, 25.00 per cent.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 3. This Act supersedes Act No. 23, H. 3, Second Special Session 1955 (Acts of Alabama 1955, v. 1, p. 132) which is in conflict herewith and is hereby expressly repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12-29-66, 1-5-67, 1-12-67, and 1-19-67, all in the year 1966-67.

JOHN P. HARRIS.

Sworn to and subscribed before me February 2, 1967.

MRS. ELLEN T. HARRIS,
Notary Public.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney for the nineteenth judicial circuit of Alabama may appoint a secretary who shall serve at his pleasure and perform such duties as he may direct. The compensation of such secretary shall be a salary of three thousand six hundred dollars (\$3,600) per annum, which shall be paid in monthly installments on warrant of the district attorney, by the counties constituting the nineteenth judicial circuit, in the following proportions: Elmore County shall pay 40.72 per cent; Chilton County, 34.28 per cent; and Autauga County, 25.00 per cent.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 3. This Act supersedes Act. No. 23, H. 3, Second Special Session 1955 (Acts of Alabama 1955, v. 1, p. 132) which is in conflict herewith and is hereby expressly repealed.

AFFIDAVIT OF PUBLICATION

THIS IS TO CERTIFY that the attached Legal notice appeared in The Prattville Progress, a newspaper published in the City of Prattville and the County of Autauga, Alabama, for 4 consecutive issues, namely those of December 29, 1966, January 5-12-19, 1967.

The Prattville Progress, in which the attached advertisement was carried, has a general circulation in the county in which it is published, which newspaper has been mailed under second-class mailing privileges for 52 consecutive weeks prior to the publication of the said Legal Notice.

JAMES G. MARTIN,
Publisher.

Sworn to and subscribed before me, this 30th day of January, 1967.

LINDA H. BREEDLOVE,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 81, 98, 99, 107, 113 and 76. To the Committee on Local Legislation No. 1.

H. B. 71. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Lybrand, Merrill and Burgess:

H. J. R. 24. WHEREAS, Dr. Houston Cole, President of Jacksonville State University, is an eminent educator of this State; and

WHEREAS, under his able and devoted administration of the State College at Jacksonville, this institution was developed into a college of university status and its name has recently been changed to indicate this fact; and

WHEREAS, in recognition and appreciation of Dr. Cole's outstanding contributions to the growth and development of Jacksonville University, which have redounded to the City of Jacksonville and, in fact, to the whole State of Alabama, the City of Jacksonville has proclaimed today, March 10, 1967, as "Houston Cole Day in Jacksonville," and the Chamber of Commerce of such city is sponsoring a banquet today to honor Dr. Cole; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby joins with the City of Jacksonville in saluting Dr. Cole today.

BE IT FURTHER RESOLVED That the Hon. Lurleen B. Wallace, Governor of Alabama, is hereby respectfully memorialized to designate this day, March 10, 1967, "Houston Cole Day in Alabama" as a token recognition of the invaluable contributions that Dr. Cole has made to the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, H. J. R. 24, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Slate, Doss, Berryman (R) and Burgreen:

H. J. R. 14. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that,

WHEREAS, Carlos Nelson of Limestone County departed this life during the month of February, 1967, and

WHEREAS he spent fourteen years as a dedicated law enforcement officer for the State of Alabama in Limestone and Morgan Counties, and

WHEREAS, he was very active in civic work in his home county, and

WHEREAS he was a recognized leader in the field of youth activities, church and civic activities and a fine gentleman and a credit to law enforcement;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That this Legislature does mourn the untimely passing of this dedicated public servant;

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the family of the said Carlos Nelson in Athens, Alabama and to the Decatur Daily and the Limestone Democrat newspapers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Harris, the Rules were suspended and the Resolution, H. J. R. 14, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Bassett:

H. J. R. 26. WHEREAS Mr. John Glenn Stanley, veteran newspaper editor of Greenville, Alabama passed away March 5, 1967 after an extended illness; and

WHEREAS Mr. Stanley, editor of the Greenville Advocate since 1934, was the last member of a newspaper dynasty that began in 1865. He was a fearless editor, had won most of the top awards in his chosen profession and had served as president of the Alabama Press Association; and

WHEREAS Mr. Stanley was a prominent and influential leader in the civic, social and religious life of his city where he was voted "Greenville's Man of the Year" in 1952, and where he had continued to take an active part in the betterment of his community and was particularly interested in local projects for young people; and

WHEREAS Mr. Stanley is survived by his widow, Mrs. Mary Beeland Stanley; and his two daughters, Mrs. Virginia Stanley Plummer and Mrs. Marianne Stanley Hardin and a number of grandchildren; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mr. Stanley whose death is a distinct loss to this State, and we extend sincere sympathy to the members of his family to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Rules were suspended and the Resolution, H. J. R. 26, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 23. WHEREAS Mr. J. Thomas Martin, Jr., following the example set by his father and his grandfather, has made significant and lasting contributions to his home town, to his State, and to his country, serving in combat action during World War I with the Fifth Infantry Division as First Lieutenant; serving as Postmaster of Jacksonville for twenty-two years, taking a prominent part in the civic life of Jacksonville, and contributing immeasurably to the development of Jacksonville State University; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in honor and appreciation of Mr. J. Thomas Martin's devotion to Jacksonville State University and the important role he and his forebears have played in the history of this school, the town, and the State we hereby designate the new science building on the campus of Jacksonville State University as "Martin Hall" and the proper authorities of the University shall have such name inscribed on or affixed to the building in an appropriate manner.

BE IT FURTHER RESOLVED, That a copy of this resolution shall be sent to Mr. Martin and to Dr. Houston Cole, President of Jacksonville State University.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Albea, the Rules were suspended and the Resolution, H. J. R. 23, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Meeks and Gafford:

H. J. R. 22. WHEREAS, the issuance of special postage stamps to commemorate special events has become an almost universal practice; and,

WHEREAS, the hobby of stamp collecting aids in the dissemination of knowledge and important information; and,

WHEREAS, the Legislature of the State of Alabama deems it timely and fitting for the proper authorities of the United States to issue a special postage stamp commemorating the One Hundred and Fiftieth Anniversary, in 1967, of the creation and entrance into the United States of America of the Alabama Territory; and,

WHEREAS, this Legislature deems this historical anniversary worthy of special notice and attention; and,

WHEREAS, the State of Alabama is the sole state or territory of the United States which has never had a commemorative stamp;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That the Postmaster General of the United States of America, be, and is hereby called upon to issue a commemorative postage stamp to note and commemorate the One Hundred and Fiftieth Anniversary of the Alabama Territory.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the President of the United States, the Postmaster General of the United States, and Senators and Representatives of Alabama in the United States Congress.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, H. J. R. 22, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Higginbotham and Brassell:

H. J. R. 17. A JOINT RESOLUTION NAMING A NEW DINING HALL AT AUBURN THE LEILA AVARY TERRELL HALL

WHEREAS Mrs. Leila Avary Terrell, a resident of Auburn since 1902 is known and loved by hundreds of Auburn University Alumni; for more than 50 years she roomed and fed Auburn students in her spacious home, serving as counselor and advisor to them; and

WHEREAS Mrs. Terrell, who celebrated her one hundredth birthday on October 27, 1966, is a living example of her belief that "your body may age but you stay young inside;" her youthful outlook, vivacity, and warm personality have endeared her to all who have been fortunate enough to be her friend; and

WHEREAS the Board of Trustees of Auburn University have unanimously recommended the naming of the new South Women's Dormitory Dining Hall for Mrs. Terrell; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of Mrs. Terrell's devotion and love toward these many Auburn University students, the dining hall described above, shall be designated, named and known as Leila Avary Terrell Hall.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. Terrell.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Radney, the Rules were suspended and the Resolution, H. J. R. 17, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Starnes, Drake and McDonald:

H. J. R. 18. WHEREAS, death has claimed Walter D. Newman, a former member of this body, who throughout a long and outstanding career contributed much to his community, his state and his country through service as coach, teacher, high school principal, National Guard and Army officer, Mayor of Guntersville, Chamber of Commerce Secretary and businessman; and

WHEREAS, Mr. Newman was also an expert fisherman, whose cordiality to visiting fishermen and readiness to share with them his knowledge of the wide expanses of Guntersville Lake, including the hiding places of the big bass and the crappie therein, won a host of friends for Guntersville; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature learns with profound regret of the recent death of Mr. Newman and hereby extends sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED, That an authenticated copy of this resolution be sent by the Clerk of the House of Representatives to his surviving widow.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Carr, the Rules were suspended and the Resolution, H. J. R. 18, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Starnes, Drake and McDonald:

H. J. R. 19. WHEREAS Guntersville and the whole State of Alabama have suffered a great loss in the recent tragic death of an outstanding Negro citizen of Guntersville, Roosevelt Williamson, a real educator, who for many years had been principal of Lakeview High School and a forceful leader of his people, having taken an active part in his church, in the Masonic Lodge, in teachers organizations and in many community betterment programs, and who was serving at the time of his death on the board of directors of the Marshall-Morgan Community Action Committee, which handles the anti-poverty program in Marshall and Morgan Counties; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature laments the death of this valuable citizen and hereby extends sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED, that an authenticated copy of this resolution be sent to his widow.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Carr, the Rules were suspended and the Resolution, H. J. R. 19, set out in the foregoing Message from the Senate, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Springer, Harris, Cameron, Hobbie and McElhaney:

H. J. R. 20. WHEREAS death came on February 28, 1967 to Mr. Tom McCord, outstanding civic worker, leader in the development and promotion of thoroughbred cattle, and one of the nation's greatest auctioneers; and

WHEREAS Mr. McCord's enthusiasm for his work, his devoted service to his community, his wit and personal charm endeared him to all who knew him; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That we express deepest regrets at the passing of Mr. McCord and extend sincerest sympathy to the surviving members of his family.

BE IT RESOLVED FURTHER, That the Clerk of the House shall send copies of this resolution to the family of Mr. McCord.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution, H. J. R. 20, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Money:

H. J. R. 8. WHEREAS the Alabama Highway Department was notified by the United States Bureau of Public Roads on November 13, 1966 that federal funds were being withheld from the several states pursuant to the presidential cut-back program initiated because of national expenditures for the war in Vietnam and for the purpose of combating inflation; and

WHEREAS Alabama had carried over from previous years available funds of approximately sixty-nine million dollars in anticipation of a much needed highway building program and in reliance upon matching federal funds being made available to this State for such purposes; and

WHEREAS federal funds which will be made available to Alabama for the fiscal year 1968 will amount to sixty-eight million dollars rather than the previously authorized amount of ninety-two million dollars; and

WHEREAS these funds are not lost to the State nor are they withdrawn but are only being temporarily withheld; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully request the President of the United States to release to the State of Alabama those funds which are being temporarily withheld from this State and for which there is a dire need at this time.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the President of the United States, and to each member of the Alabama Congressional delegation who is urged to use every means available to prevail upon the President of the United States to release the said funds to this State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, H. J. R. 8, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. McDonald, Starnes, Snodgrass and Jones:

H. J. R. 11. WHEREAS the United States Post Office performs a public service which is indispensable to the economy, welfare and happiness of this nation; and

WHEREAS the Post Office Department is unique in its organization and legal structure as well as in its method of operation. Although many of its appointments are political plums which are sinecures for life, it cannot set its own rates, nor the wages and hours of its employees. Congress has voted postal pay increases totaling 25% since 1961, which have added more than one billion dollars to the department's annual operating costs while this additional sum has been only fractionally off-set by a rate increase during this time which has brought in approximately 600 million dollars a year; and

WHEREAS the number of pieces of mail handled by the Post Office Department has increased from 69.6 billion pieces in 1964 to 75.8 billion pieces in 1966, with an estimated number of 80 billion pieces this year, it seems inevitable that the cost will continue to rise at an ever increasing pace; and

WHEREAS the rising tide of junk mail which accounts for a large proportion of the increasing flow of mail is handled at a bulk rate below the actual cost of handling and constitutes no more than a nuisance to the average household or other recipient. Such mail which is burdensome to post office employees and mail carriers is unsolicited, unwanted, and is most often removed from clogged mail boxes and deposited unopened in overflowing garbage cans; and

WHEREAS no business organization can expect to exist with continuing deficits and it is obvious that something must be done to increase rates or to cut costs of operation; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body opposes any increase in postal rates for first class mail and urges the enactment of legislation which will provide that the rates charged for all second, third, and fourth class mail shall be in accordance with the cost incurred in handling such mail, with special consideration being given to the rates for newspapers and magazines in recognition of their importance to the national welfare.

BE IT FURTHER RESOLVED That copies of this resolution shall be sent to the President of the United States, to the Postmaster General, to each member of the Alabama Congressional Delegation and to each member of the appropriate committee in the respective Houses of the Congress.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Carr, the Rules were suspended and the Resolution, H. J. R. 11, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 13. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, March 7, 1967.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 13, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Smith, Edington, Grayson, Wood (Mobile), Hogan, Perloff, Marr, Collins (M), and Collins (C):

H. J. R. 10. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we note with deep regret and profound sorrow the death of Mr. Owen Downing, brother of our beloved colleague from Mobile County, and extend our sincere sympathy to Representative Downing and the members of his family for their great loss.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Engel, the Rules were suspended and the Resolution, H. J. R. 10, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Edington, Collins (M), Collins (C), Owen (Baldwin), Perloff, Brannan, Downing, Grayson, Smith and Neville:

H. J. R. 9. WHEREAS, the Federal Monitor TECUMSEH was sunk on August 5, 1864 in the fateful battle of Mobile Bay by a Confederate Torpedo (Mine); and

WHEREAS the TECUMSEH was at that time one of the most modern "ironclad" steam powered warships in existence and is the only known salvageable vessel of this unique class; and

WHEREAS the Ship has recently been located on the bottom of Mobile Bay; and

WHEREAS this gallant vessel earned its fame in the Battle of Mobile Bay and is of the greatest significance to the area and ought to be retained in and exhibited near this site of its fame;

NOW THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that there is hereby created a special legislative committee to be known as the "TECUMSEH Committee" which shall have the express power and duty to examine in depth the matter of the proposed raising of the TECUMSEH; to make a study of all details of said proposed raising; to investigate the possibility and feasibility of retaining the ship in Alabama if the same be successfully raised; and report to the Legislature and governor at the next session, regular or special, its findings, conclusions and recommendations regarding the feasibility and practicability of the retention of said warship within the general area of the Battle of Mobile Bay.

The "TECUMSEH Committee" shall consist of two members of the House to be appointed by the Speaker of the House, (one from Mobile County and one from Baldwin County) and one member of the Senate from Mobile County to be appointed by the Lt. Governor. The director of the State Department of Archives and History shall be an ex-officio member of the Committee. The Committee may employ such clerical, technical and expert assistants as the committee may find necessary for

the proper performance of its duties. The members of the Committee shall be entitled to reimbursement for any actual out-of-pocket expenses incurred in connection with the work of the Committee, and for the payment of same there is hereby appropriated from legislative funds the sum of \$2,500.00, or so much thereof as may be duly required.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 9, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 3. Relative to naming the new women's dormitory at Jacksonville State University the "Ada Curtiss Hall".

Also:

S. J. R. 5. Relative to Fort Morgan, expressing gratitude to Mr. Hatchett Chandler.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 10. Relative to Mrs. Leila Avary Terrell and naming the new South Women's Dormitory Dining Hall the Leila Avary Terrell Hall.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Paulk:

H. J. R. 15. WHEREAS Dr. Gilbert E. Fisher of Union Springs, Alabama, who helped develop the University of Alabama Medical College and Medical Center, and was the first chairman of its department of otolaryngology and bronco-esophagology in which fields he gained world-wide recognition; and

WHEREAS after having returned to his Bullock County estate in semi-retirement, Dr. Fisher learned of the great need among the victims of leprosy, and has for the past three years been serving the outcast lepers of North Thailand where his operating skill, direction, and teach-

ing have brought relief and hope to a grateful people. He has also launched a "Village Program" with ten cured lepers on his team to do specific chores under his direction and to go into the remote and mountainous areas to reach victims of the disease who cannot get to the hospital; and

WHEREAS the loss of feeling in the extremities of lepers often results in injuries which lead to deformities or loss of limbs or death caused by gangrene or other infections; and

WHEREAS Dr. Fisher and others at McKean Leprosy Hospital in Chiangmai, Thailand have developed a micro-cellar footwear which is considered to be the greatest advance in fifty years for the prevention of complications of leprosy and the secret for early leprosy cure. Dr. Fisher is scheduled to appear before medical groups to demonstrate and discuss this footwear in Kuala Lumpur, Malaysia, Hong Kong, Taipei, Okinawa, and Tokyo and is receiving invitations from medical groups around the world to speak to them; and

WHEREAS Dr. Fisher will return to Alabama late in March to head a drive for essential clothing and other help for the destitute people who have been rejected by their own communist country; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Dr. Fisher both for his skill and accomplishments in the field of medicine and for his dedication to the humanitarian cause which he has served with such heroism and unselfishness.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Radney, the Rules were suspended and the Resolution, H. J. R. 15, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Foshee and Jackson (Covington):

H. J. R. 16. Renaming the State Trade School located at Opp as the Douglas McArthur State Technical Institute.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state trade school located at Opp in Covington County shall be designated, named, and known as the "Douglas McArthur State Technical Institute," and appropriate markers shall be erected on the campus or premises of such institution by the authorities in charge thereof showing such designation.

RESOLVED FURTHER, That this resolution shall take effect upon approval thereof by the Governor as provided in Article 5, Section 125 of the Constitution of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Rules were suspended and the Resolution, H. J. R. 16, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Cameron and Springer:

H. J. R. 25. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we note with profound regret the untimely death of Charles M. Pinkston, a distinguished former member of this body, outstanding lawyer and political leader, past President of the Montgomery Bar Association and past Chairman of the State Democratic Executive Committee. His passing is deeply mourned and the sincere sympathy of the members and officers of the Legislature is extended to his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the family of Mr. Pinkston.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 25, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Thomas, Culver, Bank and Brown:

H. J. R. 32. WHEREAS the Tuscaloosa County Public Lake which is located nine miles northwest of the City of Tuscaloosa is a haven of beauty in whose sparkling waters are mirrored the surrounding towering trees bringing quiet and peaceful enjoyment to numerous anglers of this region; and

WHEREAS our lovely lady governor whose serenity of spirit and modest yet purposeful manner has impressed the world with her many abilities during her comparatively brief appearance in public life; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Tuscaloosa County Public Lake be named, designated and known as Lake Lurleen as a fitting tribute to our esteemed Governor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 32, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Springer, McElhaney, Hobbie, Cameron and Harris:

H. J. R. 31. WHEREAS Mrs. Rose Doane, pretty and attractive hostess at Dale's Penthouse Restaurant, gave her life in an heroic effort to save the lives of twenty-four other persons who perished in the tragic fire on the night of February 7, 1967; and

WHEREAS Mrs. Doane directed and lead many persons to safety and, while ignoring pleas of others to escape the holocaust, chose to remain and to make the supreme sacrifice in an attempt to save additional lives; and

WHEREAS Mrs. Doane has been cited for her outstanding heroism by the Montgomery Chapter of the American National Red Cross in a posthumous award to her husband, Mr. Jack Doane, sports editor of the Montgomery Advertiser, and has been endorsed by the Montgomery City Commission and other organizations for nomination and the highest consideration of the Carnegie Award Committee for the Carnegie Medal; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in taking solemn note and deep regret at the passing of Mrs. Doane and others, we commend Mrs. Doane's heroic efforts to save the lives of others without regard to her own safety and endorse Mrs. Doane for nomination and the highest consideration for the award of the Carnegie Medal.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Carnegie Award Committee and to Mr. Jack Doane to whom we extend our heartfelt sympathy.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 31, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Springer, McElhaney, Hobbie, Cameron and Harris:

H. J. R. 30. WHEREAS the people of Montgomery and the State of Alabama were shocked and grieved by the tragic loss of life in the holocaust which destroyed Dale's Penthouse Restaurant on the night of February 7, 1967; and

WHEREAS Jesse Williams, chief cook and valued employee at Dale's, after having conducted numerous patrons to safety by means of the elevator, returned to the blazing penthouse area to save others without regard to his own personal safety, and was subsequently trapped therein until he made his escape by sliding down the elevator cable; and

WHEREAS Jesse Williams has been cited for outstanding heroism by the Montgomery Chapter of the American National Red Cross and has been endorsed by the Montgomery City Commission and other organizations for nomination for the Carnegie Medal; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend the courageous actions and heroic efforts of Jesse Williams to save the lives of others without regard to his own personal safety and we endorse his nomination for the highest consideration for the award of the Carnegie Medal.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Carnegie Award Committee and to Jesse Williams in grateful appreciation for his outstanding heroism.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 30, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Crane:

H. J. R. 28. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That when the two houses adjourn today they will adjourn to meet again at noon on Tuesday, March 21.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 28, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Headley, Dill, Turnham, Lemley, Hobbie, Harris, Watkins, Smith (P), Ellis, Culver, Thomas, Graham, Beck, Wood, Brassell and Owens (W):

H. J. R. 33. WHEREAS in 1917, Congress passed an Act known as the Smith-Hughes Act to provide for cooperation with the states for the

promotion of vocational education and the training of vocational subjects; and

WHEREAS the program of vocational education has been vastly expanded by additional and supplementary legislation both from the federal and state levels since its inauguration fifty years ago; and

WHEREAS Alabama has undertaken the greatest expansion in its history in the establishment of buildings and appropriation of funds for trade schools in order to educate our youth and to develop skilled craftsmen who are already bringing into our state a significant number of additional industries; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the week of March 19-25 is hereby proclaimed to be Vocational Education Week in Alabama, in recognition and commemoration of the fiftieth anniversary of the passage of the Smith-Hughes Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 33, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith (Talladega):

H. J. R. 34. WHEREAS, Eugene B. Landreth, the son of Robert L. and Jeanie Hibernia Landreth of Chambers County, Alabama, went to the Alabama School for the Blind in Talladega at the age of 10 years in 1914 and graduated from the school in 1924; and,

WHEREAS, he returned to the school in 1934 as an instructor, and organized during that year a band among the students of the school; and,

WHEREAS, he married Reba Hare in 1927 and had two fine daughters, now Mrs. Betty Jean Layton of Titusville, Florida and Mrs. Helen Bussey of Talladega, Alabama; and,

WHEREAS, he has been the only band director the school has ever had, having served as director since its organization; and,

WHEREAS, the band, under his leadership, led the Lions International parade in New York and presented a concert in Madison Square Garden in 1949, has presented many concerts all over Alabama, has played in the inaugural parade of every Alabama governor since 1947, and has entertained this Legislature in joint assembly with concerts on many occasions; and,

WHEREAS, Eugene B. Landreth, himself blind, has been a source of inspiration and guidance to hundreds of blind and visually handicapped Alabama children for whom he has opened up the world of music; and,

WHEREAS, the executive committee of the Board of Trustees of the Alabama Institute for Deaf and Blind has requested that this action be taken;

NOW THEREFORE BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES CONCURRING,

That the newly redecorated music hall at the campus of the Alabama School for the Blind in Talladega be, and it is hereby, named the Eugene B. Landreth Music Hall.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Leonard, the Rules were suspended and the Resolution, H. J. R. 34, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Mays:

H. J. R. 36. WHEREAS Satilla Virginia Lady, an exceptional six year old pointer bitch owned by Dr. Frank Phillippi of Brewton, Alabama and Escambia County, has been named National Bird Dog Champion of 1967; and

WHEREAS in making her winning race for the championship in Grand Junction, Tennessee, Lady turned in ten perfect finds, ran a tremendous ground heat for three full hours and hunted the birdy spots. She needed a minimum of scouting, handled as if she were on a leash and showed exceptional style and character. After she was subsequently put on final run to show that she could back her bracemate, Lady was awarded the championship collar, three trophies and a fifteen hundred dollar cash prize; and

WHEREAS Lady has brought honor and glory to Alabama in evidencing that this State is indeed the home of champions in many fields of endeavor; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Lady; her owner, Dr. Phillippi, and her trainer, Mr. Herman Smith of Hatchechubbee, Alabama for Lady's outstanding performance in winning the National Bird Dog Championship of 1967.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Satilla Virginia Lady, Dr. Phillippi and Mr. Smith.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jackson, the Rules were suspended and the Resolution, H. J. R. 36, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 15. Relative to the House and Senate not meeting on Friday, March 31, 1967, in order that the Youth Legislature may hold their session at this time.

Also:

S. J. R. 9. Relative to the death of Miss Susan Smith of Gadsden, Alabama.

Also:

S. J. R. 8. Relative to the death of Dennis Wright of the Rocky Hollow Community in Walker County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 6. Ratifying the proposed amendment to the Constitution of the United States relating to the succession to the Presidency and Vice Presidency; disability of the President.

Also:

S. J. R. 7. Relating to the death of Mrs. Marie Phillips.

Also:

S. J. R. 17. Relative to the 10th annual America's Junior Miss Pageant.

Also:

S. J. R. 18. Relative to expressing best wishes to the members of the Friendly Sons of St. Patrick.

Also:

S. J. R. 14. Relative to Dr. Houston Cole, President of Jacksonville State University.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore, Turner, Engel, Cooper, Leonard, Albea, McCarley, Branyon, Folsom, Goodwyn, Clark, Vacca, Giles, Carr, Hawkins, Childs, Bailes, Morrow and Torbert:

S. 8. To make an appropriation to the State Department of Mental Health.

By Messrs. Skidmore, Turner, Engel, Cooper, Leonard, Albea, McCarley, Torbert, Branyon, Folsom, Goodwyn, Clark, Vacca, Giles, Carr, Hawkins, Childs, Bailes, Morrow, Nabors and Radney:

S. 9. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

By Messrs. Goodwyn, Turner, Engel and Cooper:

S. 20. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

By Messrs. Goodwyn, Turner, Engel and Cooper:

S. 22. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

By Messrs. Turner and Engel:

S. 18. To make an appropriation to the Governors office for the purpose of paying contribution to the National Governors Conference.

By Messrs. Pierce, Turner and Engel:

S. 19. To make an additional appropriation to the Agricultural Center Board.

By Messrs. Turner and Engel:

S. 17. To make an additional appropriation from the state treasury to the use of the secretary of state for payment of salaries and other expenses.

By Mr. Cooper:

S. 13. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner (with amendment):

S. 16. To make an appropriation to the office of the Attorney General and to provide for special Assistant Attorneys General and Investigators.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwin, Harris, Branyon, Turner, Folsom, Giles, Gilmore, Pelham, Clark, Vacca, Albea, Hawkins and Cooper:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

By Messrs. Clark, Cooper and Lolley:

S. 26. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

By Messrs. Turner, Clark and Goodwyn:

S. 14. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

By Messrs. Turner and Goodwyn:

S. 15. To amend further Sections 655 and 657 of Title 51, Code of Alabama (1940), which provide for the use of a portion of the State Gasoline Excise Tax.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Folsom (with notice and proof):

S. 1. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

By Mr. Folsom (with notice and proof):

S. 2. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

By Mr. Nabors (with notice and proof):

S. 4. To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof.

By Mr. Albea (with notice and proof):

S. 6. Relating to Calhoun County; providing a purchasing agent for the county; regulating the acquisition and disposal of supplies, materials, equipment, and contractual services for Calhoun County; prescribing penalties for violations of the Act.

By Mr. Branyon:

S. 7. To amend further Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

By Mr. Radney (with notice and proof):

S. 12. Relating to Tallapoosa County: To create and establish in Tallapoosa County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Tallapoosa County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Tallapoosa County; and providing for the transfer and trial of cases pending in the County Court of Tallapoosa County and in the Juvenile Court of Tallapoosa County, at the time this act takes effect, to the Court of Common Pleas of Tallapoosa County, Alabama.

By Mr. Lolley (with notice and proof):

S. 27. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the Sheriff, and providing for the disposition and use of such fees.

By Mr. Carr (with notice and proof):

S. 34. To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

By Mr. Carr (with notice and proof):

S. 35. To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

By Mr. McCarley (with notice and proof):

S. 42. To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

By Mr. Radney (with notice and proof):

S. 43. To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

By Messrs. Goodwyn and Pierce:

S. 50. To authorize the county governing body of counties having populations of not less than 160,000 nor more than 300,000, according to the most recent federal decennial census, to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

By Messrs. Goodwyn and Pierce:

S. 51. To amend Act No. 428, H. 933, Regular Session 1961, an act creating and establishing a countywide personnel system for counties having populations of not less than 150,000 nor more than 300,000 (Acts of Alabama, Regular and Special Sessions 1961, v. 1, p. 456).

By Mr. Branyon (with notice and proof):

S. 53. Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193).

By Mr. Branyon (with notice and proof):

S. 54. To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

By Mr. Skidmore:

S. 73. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

By Mr. Skidmore:

S. 74. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 109,000 nor more than 115,000, according to the most recent federal decennial census.

Mr. Leonard, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a

favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Leonard:

S. 21. To authorize the governing body of any county or municipality to appropriate public funds and to use certain equipment and employees in aid of certain projects undertaken in any other contiguous county, or the home county of said governing body.

Mr. Engel, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Engel, Pelham, McDermott, Cooper, Lolley, Clark, Givhan and Turner:

S. 28. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Mr. Engel, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Engel, Pelham, McDermott, Cooper, Lolley, Clark, Givhan and Turner (with amendment):

S. 29. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the pur-

pose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

The above Bill was read a second time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered the resolution:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

And said resolution was again read at length and passed by the House, by a vote of Yeas 58; Nays 42, which was a majority of the whole number elected to the House.

And said resolution, together with the message proposed by Her Excellency, the Governor, is herewith returned to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Radney, the Senate reconsidered the vote by which it adopted the Resolution, S. J. R. 4, the title of which is set out in the foregoing Message from the House, as amended by the Executive Amendment.

On motion of Mr. Radney, the Senate reconsidered the vote by which it adopted the Executive Amendment to the said Resolution.

And the Senate reconsidered said Resolution.

And the Resolution, S. J. R. 4, was then adopted by the Senate, the Governor's veto to the contrary notwithstanding.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Dominick	Harris	Morrow
Albea	Engel	Hawkins	Nabors
Bailes	Folsom	Jackson	O'Bannon
Carr	Giles	Leonard	Radney
Childs	Gilmore	Lindsey	Skidmore
Cooper	Givhan	McDermott	Vacca

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Nays:

Messrs.:	Clark	Oden	Stone
Adams	Goodwyn	Pelham	Turner
Branyon	Lolley	Pierce	

—10

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with favorable report, to-wit:

S. J. R. 16. Relative to adjournment of the two Houses to Wednesday, March 15 and again until Thursday, March 16.

On motion of Mr. Cooper, said Resolution was then adopted by the Senate.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolution delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 4. Delivered to the Governor March 3, 1967, at 11:15 A. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:44 P. M., on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Wednesday, March 15, 1967, at 2 o'clock P. M.

SEVENTH LEGISLATIVE DAY

WEDNESDAY, MARCH 15, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Chester H. Jernigan, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Pailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Labors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Leonard and McCarley for today.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution, with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 4. Fixing the expense allowances of members of the Legislature.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution, the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions, with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 3. Naming the new women's dormitory at Jacksonville State University the "Ada Curtiss Hall".

Also:

S. J. R. 5. Expressing gratitude to Mr. Hatchett Chandler of Fort Morgan.

Also:

S. J. R. 10. Naming the new South Women's Dormitory Dining Hall at Auburn the "Leila Avary Terrell Hall".

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions, with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 6. Ratifying the proposed amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency.

Also:

S. J. R. 7. Mourning the death of Mrs. Marie Phillips who was killed by a tornado in Empire, Alabama.

Also:

S. J. R. 8. Mourning the death of Dennis Wright who was killed as a result of a tornado in Walker County.

Also:

S. J. R. 9. Mourning the death of Miss Susan Smith of Gadsden.

Also:

S. J. R. 14. Designating March 10, 1967, as "Houston Cole Day in Alabama".

Also:

S. J. R. 15. Wishing the members and sponsors of the Alabama YMCA Youth Legislature success in their forthcoming session.

Also:

S. J. R. 17. Welcoming to our State the Junior Misses from throughout the nation.

Also:

S. J. R. 18. Expressing best wishes to the Friendly Sons of St. Patrick, March 17, 1967.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Pierce and Goodwyn:

S. 87. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. 88. To amend further Code of Alabama 1940, Title 14, Section 179 in relation to the sales of pistols.

Committee on Judiciary.

By Mr. Turner:

S. 89. To make an additional appropriation to the Uniform State Laws Commission.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Albea (with amendment):

S. 5. To create and establish the Alabama Constitution Revision Commission to study and make recommendations for the revision of the Constitution of Alabama; to provide for the membership of the commission, the manner of its appointment and its duration; to prescribe its duties and authority; to provide for the payment of its expenses; and to make an appropriation from the state treasury.

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dominick:

S. 85. Proposing an amendment to Section 83 of Article 4, Constitution of Alabama, providing for election of the speaker of the house by secret ballot.

The above bill was read a second time at length as required by the Constitution.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 40. To make an additional appropriation to the Alabama State Milk Control Board.

By Messrs. Lolley and Givhan:

S. 49. To make an additional appropriation to the use of the Farmers Market Authority for the fiscal year ending September 30, 1967.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (with notice and proof):

S. 79. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

By Messrs. Owen (Baldwin) and Brannan (with notice and proof):

H. 4. To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

By Mr. Neville:

H. 5. To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623).

By Mr. Owens (W) (with notice and proof):

H. 6. To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

By Messrs. Merrill, Lybrand and Burgess:

H. 15. To apply only in counties having populations of not less than 76,000 nor more than 96,000, abolishing the office of clerk of the jury commission, providing that the circuit court clerk shall perform the

duties of clerk of the jury commission, fixing the compensation of the circuit court clerk for performance of such additional duties, and authorizing the county to provide for employment of additional clerical help by the circuit clerk to assist him in the performance of such duties.

By Messrs. Lybrand and Burgess:

H. 17. To provide further for the compensation of the circuit court judges of the seventh judicial circuit.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 27. To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 28. To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 29. Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 30. To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 32. Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 33. Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 35. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 36. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

By Mr. Steagall (with notice and proof):

H. 37. To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Steagall (with notice and proof) (with amendment):

H. 38. Relating to Dale County; providing for the time of closing county offices.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Steagall (with notice and proof):

H. 39. To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 44. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

By Mr. Tuck (with notice and proof):

H. 45. To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

By Mr. Tuck (with notice and proof):

H. 46. Relating to Greene County; providing for closing county offices on Saturdays.

By Mr. Beck (with notice and proof):

H. 61. To extend, alter and rearrange the boundary lines and corporate limits of the City of Fort Payne, in DeKalb County, Alabama.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 73. To amend Act No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

By Messrs. Dobbs and Shumate (with notice and proof):

H. 74. To regulate further the salary of the secretary of the sheriff of Walker County.

By Mr. Williams:

H. 81. To authorize the governing bodies of counties having a population of not less than 36,600 nor more than 37,600 according to the 1960 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

By Messrs. Slate and Doss:

H. 107. To amend Sections 3, 13, and 21 of Act No. 115, H. 191, Special Session 1966 (Acts 1966, p. 147), an act to create the office of commissioner of licenses in counties having populations of not less than 57,000 nor more than 61,000, with respect to the compensation of the commissioner of licenses, and giving the amendatory act retroactive effect.

By Messrs. Shumate and Dobbs (with notice and proof):

H. 113. Relating to Walker County: to amend Act No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol. I, p. 166).

Mr. Turner, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner:

S. 48. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has there-

tofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. BE IT RESOLVED BY THE SENATE OF ALABAMA, the House of Representatives thereof concurring, that when the Senate adjourns today, it adjourn to meet again on Thursday, March 16, 1967, and when the Senate adjourns on March 16, it adjourn to meet again on Tuesday, March 21. That when the House adjourns on Friday, March 17, it adjourn to meet again on Tuesday, March 21, 1967.

Which was read and referred to the Standing Committee on Rules.

MOTION IN WRITING

Messrs. Bailes, Dominick, Gilmore, Childs, Hawkins, Vacca and Morrow offered the following Motion in Writing:

Notice is hereby given that on the next Legislative Day the Senate Finance and Taxation Committee will be petitioned to report Senate Bills 55 through 62 inclusive to the Floor of the Senate for reading a second time and placed on the Calendar of the Senate.

Which was read and ordered spread upon the Journal.

BILLS ON THIRD READING

The Bill:

S. 1. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Harris	Pierce
Adams	Cooper	Lindsey	Radney
Albea	Dominick	Lolley	Skidmore
Bailes	Folsom	McDermott	Stone
Branyon	Gilmore	Morrow	Torbert
Carr	Givhan	Pelham	Turner
Childs	Goodwyn		

—25

Nays:

—0

S. 2. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pierce	
Adams	Gilmore	McDermott	Skidmore	
Albea	Givhan	Morrow	Stone	
Bailes	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lindsey			—25

Nays:

—0

The Bill:

S. 6. Relating to Calhoun County; providing a purchasing agent for the county; regulating the acquisition and disposal of supplies, materials, equipment, and contractual services for Calhoun County; prescribing penalties for violations of the Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Radney	
Albea	Giles	Lolley	Skidmore	
Branyon	Gilmore	Nabors	Stone	
Carr	Givhan	O'Bannon	Torbert	
Childs	Harris	Oden	Turner	
Clark	Hawkins	Pierce	Vacca	
Cooper	Jackson			—25

Nays:

—0

The Bill:

S. 7. To amend further Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Radney	
Adams	Engel	Nabors	Skidmore	
Albea	Folsom	O'Bannon	Stone	
Branyon	Harris	Oden	Torbert	
Childs	Hawkins	Pelham	Turner	
Clark	Jackson	Pierce	Vacca	
Cooper	Lindsey			—25

Nays:

—0

The Bill:

S. 12. Relating to Tallapoosa County: To create and establish in Tallapoosa County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Tallapoosa County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Tallapoosa County; and providing for the transfer and trial of cases pending in the County Court of Tallapoosa County and in the Juvenile Court of Tallapoosa County, at the time this act takes effect, to the Court of Common Pleas of Tallapoosa County, Alabama.

was taken up.

Mr. Radney offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 12

Section 3 (e) (5) of S. B. 12 is hereby amended by adding at the end thereof the following sentence: "In exercising jurisdiction in juvenile court cases the provisions in Chapter 7, Title 13 of the Code of Alabama 1940, and amendments, shall apply."

Section 4(b) of S. B. 12 is hereby amended by deleting the period and adding at the end thereof, "except in juvenile court proceedings where attendance shall be within the discretion of the judge."

In subsection (b) of Section 8, strike out the last sentence and insert in lieu thereof the following sentence: Except as to the trial tax herein provided, the court costs in such cases shall be the same as provided by law.

Amend Section 9.2 of S. B. 12 by deleting therefrom the words, "Sections 371 and 372" and substituting in lieu thereof, "Chapter 7."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pelham
Bailes	Engel	McDermott	Radney
Branyon	Givhan	Morrow	Stone
Carr	Goodwyn	Nabors	Torbert
Childs	Hawkins	O'Bannon	Turner
Clark	Jackson	Oden	Vacca
Cooper	Lindsey		

—25

Nays:

—0

And said Bill, S. B. 12, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pelham	
Bailes	Engel	McDermott	Radney	
Branyon	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Cooper	Lindsey			—25

Nays: —0

The Bill:

S. 27. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Radney	
Adams	Gilmore	Morrow	Skidmore	
Albea	Givhan	Nabors	Stone	
Cooper	Goodwyn	O'Bannon	Torbert	
Dominick	Harris	Oden	Turner	
Engel	Hawkins	Pierce	Vacca	
Folsom	Jackson			—25

Nays: —0

The Bill:

S. 34. To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Oden	
Adams	Engel	Lolley	Pelham	
Albea	Folsom	McDermott	Stone	
Bailes	Giles	Morrow	Torbert	
Carr	Gilmore	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson			—25

Nays: —0

The Bill:

S. 35. To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Radney	
Adams	Engel	Nabors	Skidmore	
Albea	Giles	O'Bannon	Stone	
Bailes	Gilmore	Oden	Torbert	
Carr	Hawkins	Pelham	Turner	
Clark	Jackson	Pierce	Vacca	
Cooper	Lindsey			—25

Nays:

—0

The Bill:

S. 43. To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pelham	
Branyon	Giles	McDermott	Radney	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lindsey			—25

Nays:

—0

The Bill:

S. 50. To authorize the county governing body of counties having populations of not less than 160,000 nor more than 300,000, according to the most recent federal decennial census, to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Goodwyn	Morrow	
Adams	Cooper	Hawkins	Nabors	
Albea	Dominick	Jackson	O'Bannon	
Bailes	Engel	Lindsey	Oden	
Branyon	Folsom	Lolley	Pierce	
Carr	Giles	McDermott	Vacca	
Childs	Gilmore			—25

Nays:

—0

The Bill:

S. 51. To amend Act No. 428, H. 933, Regular Session 1961, an act creating and establishing a countywide personnel system for counties

having populations of not less than 150,000 nor more than 300,000 (Acts of Alabama, Regular and Special Sessions 1961, v. 1, p. 456).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Goodwyn	Morrow	
Adams	Cooper	Hawkins	Nabors	
Albea	Dominick	Jackson	O'Bannon	
Bailes	Engel	Lindsey	Oden	
Branyon	Folsom	Lolley	Pierce	
Carr	Giles	McDermott	Vacca	
Childs	Gilmore			—25

Nays:

—0

The Bill:

S. 53. Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Giles	Lindsey	Pelham	
Albea	Gilmore	Lolley	Pierce	
Branyon	Givhan	McDermott	Radney	
Childs	Goodwyn	Morrow	Skidmore	
Clark	Harris	O'Bannon	Turner	
Cooper	Hawkins			—25

Nays:

—0

The Bill:

S. 54. To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Adams	Gilmore	Lolley	Pierce	
Albea	Givhan	McDermott	Radney	
Branyon	Goodwyn	Morrow	Skidmore	
Childs	Harris	Nabors	Stone	
Clark	Hawkins	Oden	Torbert	
Cooper	Jackson			—25

Nays:

—0

MOTION TO POSTPONE TO DAY CERTAIN

On motion of Mr. Skidmore, further consideration of the Bills, S. B.'s 73 and 74, was postponed until the Fifteenth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 8. To make an appropriation to the State Department of Mental Health.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

The Bill:

S. 9. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

The Bill:

S. 20. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

Was taken up.

Mr. Goodwyn offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 20

Amend S. B. 20 by striking from Section 2, III, A, (16), (a) on page 3 of the bill the figures 6,825.00 and inserting in lieu thereof the figures 11,000.00.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

Mr. Goodwyn then offered the following amendment to the Bill, S. B. 20, as amended, to-wit:

AMENDMENT TO S. B. 20, AS AMENDED

Amend S. B. 20, as amended, by adding at the end of Section 2, III, B, on page 4 of the bill the following:

(5) For transfer to the Agricultural Fund 15,000.00

Further amend the bill by adding at the end of Section 2, III, E (2) on page 5 of the bill the following:

(e) For salaries in the Agriculture and Industries
Department 15,000.00

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

And said Bill, S. B. 20, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

The Bill:

S. 22. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

was taken up.

Mr. Goodwyn offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. B. 22

A BILL
TO BE ENTITLED
AN ACT

To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Be It Enacted by the Legislature of Alabama:

Section 1. That Act No. 661 (H. 836) Regular Session 1965 (Acts 1965, v. 2, p. 1185), entitled "An Act To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith," is amended to read as follows:

"Section 1. Title 41, Section 152, Code of Alabama 1940, as last amended by Act No. 268, Acts of 1963, page 712 is further amended to read as follows:

"When not fixed by law or provided for in the pay plan of the merit system, the Governor is authorized to fix or approve salaries or compensation of officers and employees of the State of Alabama, but no salary or compensation, including those provided for in the pay plan of the merit system for unclassified positions, in the state service, shall be fixed or approved in excess of eleven thousand dollars (\$11,000) per annum, unless a different maximum is fixed by law. The State Personnel Board may provide in the pay plan for officers and employees in the classified service of the state, other than physicians employed by the State Health Department whose salaries are fixed in accordance with Section 9, Title 22 of this Code, as amended, and the Directors of Unemployment Compensation and Employment Service whose salaries are fixed by Section 25, Title 26, of this code, and are paid solely from Federal grants, and employees of the State Docks Department, a maximum salary or compensation not exceeding thirteen thousand two hundred dollars (\$13,200) per annum. Provided further, where the salary or compensation of any officer or employee in the exempt or unclassified service is now fixed by law at a lower amount the appointing authority

(as defined in the merit system law) may fix the salary or compensation at an amount not exceeding the maximum salary of officers and employees in the unclassified service. The salary or compensation of officers and employees of the State Docks Department who are in the classified service of the state shall be provided for in the pay plan of the merit system without regard to the limitations prescribed herein."

Section 2. This Act shall become effective April 1, 1967.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

And said Bill, S. B. 22, as amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

The Bill:

S. 18. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

The Bill:

S. 19. To make an additional appropriation to the Agricultural Center Board.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

The Bill:

S. 17. To make an additional appropriation from the state treasury to the use of the secretary of state for payment of salaries and other expenses.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McDermott	Skidmore
Branyon	Gilmore	Morrow	Stone
Carr	Givhan	Nabors	Torbert
Childs	Goodwyn	O'Bannon	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—33

Nays:

—0

The Bill:

S. 13. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 28; Nays 5.

Yeas:

Messrs.:	Engel	Hawkins	Pelham
Adams	Folsom	Jackson	Pierce
Albea	Giles	Lindsey	Skidmore
Branyon	Gilmore	Lolley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	Oden	Vacca
Cooper			

—28

Nays:

Messrs.:	Dominick	O'Bannon	Radney	
Bailes	Morrow			—5

The Bill:

S. 16. To make an appropriation to the office of the Attorney General and to provide for special Assistant Attorneys General and Investigators.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 16

AMEND S. B. 16 by deleting from Section I of said bill the following: "and for each fiscal year thereafter,"

Further amend S. B. 16 by deleting the whole of Section 3 and renumbering Section 4 as Section 3.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McDermott	Skidmore	
Branyon	Gilmore	Morrow	Stone	
Carr	Givhan	Nabors	Torbert	
Childs	Goodwyn	O'Bannon	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Hawkins			—33

Nays:

—0

Mr. Radney moved that further consideration of the Bill, S. B. 16, as amended, be postponed until the Tenth Legislative Day.

Mr. Turner moved that the motion to postpone be laid on the table, and the motion to table prevailed.

Yeas 22; Nays 11.

Yeas:

Messrs.:	Cooper	Goodwyn	Pelham	
Adams	Engel	Hawkins	Skidmore	
Albea	Folsom	Jackson	Stone	
Branyon	Giles	Lindsey	Turner	
Carr	Gilmore	Lolley	Vacca	
Clark	Givhan	Oden		—22

Nays:

Messrs.:	Dominick	Morrow	Pierce	
Bailes	Harris	Nabors	Radney	
Childs	McDermott	O'Bannon	Torbert	—11

And said Bill, S. B. 16, as amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 9.

Yeas:

Messrs.:	Childs	Gilmore	Lolley
Adams	Clark	Givhan	Pelham
Albea	Cooper	Goodwyn	Skidmore
Bailes	Engel	Hawkins	Stone
Branyon	Folsom	Jackson	Turner
Carr	Giles	Lindsey	Vacca

—23

Nays:

Messrs.:	McDermott	O'Bannon	Radney
Dominick	Morrow	Pierce	Torbert
Harris	Nabors		

—9

The Bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

was taken up.

Mr. Goodwyn moved that further consideration of the Bill, S. B. 23, be postponed until the Eighth Legislative Day as Unfinished Business.

Mr. Morrow moved as a substitute motion that further consideration of the Bill, S. B. 23, be postponed until the Ninth Legislative Day as Unfinished Business. On motion of Mr. Goodwyn, the motion of Mr. Morrow was laid on the table.

Yeas 17; Nays 15.

Yeas:

Messrs.:	Cooper	Jackson	Pierce
Adams	Folsom	Lindsey	Stone
Albea	Giles	Lolley	Torbert
Branyon	Givhan	Oden	Turner
Carr	Goodwyn		

—17

Nays:

Messrs.:	Engel	McDermott	Pelham
Bailes	Gilmore	Morrow	Radney
Childs	Harris	Nabors	Skidmore
Dominick	Hawkins	O'Bannon	Vacca

—15

The question then recurred on the motion of Mr. Goodwyn to postpone further consideration of the Bill, S. B. 23, until the Eighth Legislative Day as Unfinished Business. Mr. Folsom moved that the motion of Mr. Goodwyn be laid on the table, which motion was lost.

Yeas 7; Nays 25.

Yeas:

Messrs.:	Branyon	Folsom	Nabors
Bailes	Carr	Hawkins	Turner

—7

Nays:

Messrs.:	Giles	Lolley	Pierce
Adams	Gilmore	McDermott	Radney
Albea	Givhan	Morrow	Skidmore
Childs	Goodwyn	O'Bannon	Stone
Cooper	Harris	Oden	Torbert
Dominick	Jackson	Pelham	Vacca
Engel	Lindsey		

—25

The question was on the motion of Mr. Goodwyn to postpone further consideration of the Bill, S. B. 23, until the Eighth Legislative Day as Unfinished Business, which motion was adopted.

The Bill:

S. 26. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

was taken up.

Mr. Torbert offered the following amendment to the Bill, S. B. 26, to-wit:

Amendment to S. B. 26

Amend Sub-paragraph (h) of Paragraph (1) of Senate Bill 26 by adding to the end of Section 23 set out in the said Sub-paragraph (h) the following:

Nothing contained in this section, or in any pledge made pursuant to the provisions of this section, shall be construed to impose a lien on any part of the Kilby Property, and the purchasers and lessees of the Kilby Property, or any part thereof, shall not be obligated to assure that the proceeds of any sale or lease of any of the Kilby Property are disbursed as are provided in this section.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Branyon	Cooper	Giles
Adams	Carr	Dominick	Gilmore
Albea	Childs	Engel	Givhan
Bailes	Clark	Folsom	Goodwyn

Harris	McDermott	Pelham	Stone	
Hawkins	Morrow	Pierce	Torbert	
Jackson	Nabors	Radney	Turner	
Lindsey	O'Bannon	Skidmore	Vacca	
Lolley	Oden			—33

Nays: —0

Mr. Pierce offered the following amendment to the Bill, S. B. 26, as amended, to-wit:

Amendment to S. B. 26

In section (h), on page 9, in lines 9 and 10, strike out the words and figures "bearing interest at such rate or rates" and insert "bearing interest at the legal rate,"

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pierce	
Adams	Dominick	Lolley	Radney	
Albea	Engel	McDermott	Skidmore	
Bailes	Folsom	Morrow	Stone	
Branyon	Giles	Nabors	Torbert	
Carr	Goodwyn	O'Bannon	Turner	
Childs	Harris	Oden	Vacca	
Clark	Hawkins	Pelham		—30

Nays: —0

And said Bill, S. B. 26, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McDermott	Skidmore	
Branyon	Gilmore	Morrow	Stone	
Carr	Givhan	Nabors	Torbert	
Childs	Goodwyn	O'Bannon	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Hawkins			—33

Nays: —0

MOTION TO ADJOURN LOST

At 4:13 P. M., Mr. Branyon moved that the Senate adjourn until Thursday, March 16, 1967, at 10 o'clock A. M., which motion was lost.

BILLS ON THIRD READING RESUMED

The Bill:

S. 14. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

was taken up.

Mr. Cooper moved that further consideration of the Bill, S. B. 14, be postponed until the Ninth Legislative Day. Mr. Nabors moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 10; Nays 22.

Yeas:

Messrs.:	Dominick	Hawkins	Turner	
Bailes	Gilmore	Morrow	Vacca	
Childs	Goodwyn	Nabors		—10

Nays:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Folsom	Lolley	Radney	
Albea	Giles	McDermott	Skidmore	
Branyon	Givhan	O'Bannon	Stone	
Carr	Harris	Oden	Torbert	
Cooper	Jackson	Pelham		—22

Mr. Goodwyn moved as a substitute motion that further consideration of the Bill, S. B. 14, be postponed until the Eighth Legislative Day. On motion of Mr. Cooper, the motion to postpone was laid on the table.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Engel	Lolley	Pelham
Adams	Givhan	McDermott	Radney
Branyon	Harris	O'Bannon	Skidmore
Clark	Jackson	Oden	Stone
Cooper	Lindsey		

—17

Nays:

Messrs.:	Dominick	Goodwyn	Pierce
Albea	Folsom	Hawkins	Torbert
Bailes	Giles	Morrow	Turner
Carr	Gilmore	Nabors	Vacca
Childs			

—16

ADJOURNMENT

At 4:35 P. M., Mr. Goodwyn moved that the Senate do now adjourn until Thursday, March 16, 1967, at 10 o'clock A. M. Mr. Nabors moved as a substitute motion that the Senate do now adjourn until Friday, March 17, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 7; Nays 26.

Yeas:

Messrs.:	Childs	Gilmore	Morrow
Bailes	Dominick	Hawkins	Nabors

—7

Nays:

Messrs.:	Engel	Lindsey	Radney
Adams	Folsom	Lolley	Skidmore
Albea	Giles	McDermott	Stone
Branyon	Givhan	O'Bannon	Torbert
Carr	Goodwyn	Oden	Turner
Clark	Harris	Pelham	Vacca
Cooper	Jackson	Pierce	

—26

The question then recurred on the motion of Mr. Goodwyn, and at 4:45 P. M., pending further consideration of the Bills, S. B.'s 23 and 14, the Senate adjourned until Thursday, March 16, 1967, at 10 o'clock A. M.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Engel	Jackson	Pierce
Adams	Folsom	McDermott	Skidmore
Albea	Giles	O'Bannon	Stone
Branyon	Givhan	Oden	Torbert
Childs	Goodwyn	Pelham	

—18

Nays:

Messrs.:	Cooper	Hawkins	Nabors
Bailes	Dominick	Lindsey	Radney
Carr	Gilmore	Lolley	Turner
Clark	Harris	Morrow	Vacca

—15

EXTRAORDINARY SESSION

151

EIGHTH LEGISLATIVE DAY

THURSDAY, MARCH 16, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Mr. Marvin F. Bryant, Evangelist, Druid Hills Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Balles	Giles	Lolley	Skidmore
Branyon	Givhan	McDermott	Stone
Carr	Goodwyn	Morrow	Torbert
Childs	Harris	Nabors	Turner
Clark	Hawkins	O'Bannon	Vacca
Cooper			

—32

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Gilmore, McCarley and Radney for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Adams:

S. 90. Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that application will be filed with the Legislature of Alabama at its next session following the publication of this notice as required by law for the passage of a local act as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

Be It Enacted by the Legislature of Alabama:

Section 1. That pursuant to petition of the Board of Commissioners of the City of Dothan and the concurrence of the Pension Board of the retirement system of said city, City Employee N. N. Newsome is hereby credited for employment by said City continuously since the 2nd day of February, 1937, for retirement purposes.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: November 29, December 6, 13, 19, 1966 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 21 day of December, 1966.

B. WALLACE MILLER,
Notary Public.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favor-

able report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pierce and Goodwyn:

S. 87. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

By Mr. Fite (with notice and proof):

H. 99. To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I, p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

By Mr. Smith (P):

H. 64. To regulate further the procedure for the abandoning of the commission form of government and the reorganization of the city government thereafter in all cities of this State which have populations of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census; to provide for the reorganization of such cities under a mayor and council; to prescribe the number of aldermen which shall comprise the council; to provide for the election of the mayor and aldermen and to prescribe their terms of office and their compensation.

By Mr. Fite (with notice and proof):

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first of which was the Bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

Mr. Goodwyn moved that further consideration of the Bill, S. B. 23, be postponed until the next Legislative Day. On motion of Mr. Cooper, the motion to postpone was laid on the table.

Yeas 19; Nays 11.

Yeas:

Messrs.:	Clark	Harris	Oden
Adams	Cooper	Leonard	Skidmore
Albea	Folsom	Lindsey	Stone
Branyon	Giles	Lolley	Torbert
Carr	Givhan	O'Bannon	Turner

Nays:

Messrs.:	Engel	McDermott	Pelham
Bailes	Goodwyn	Morrow	Pierce
Dominick	Hawkins	Nabors	Vacca

—11

Mr. Morrow offered the following amendment to the Bill, S. B. 23, to-wit:

AMENDMENT TO SENATE BILL 23

Amend the title of Senate Bill 23 by adding at the end of said title the following words and figures:

"Provided however this act shall not apply in any counties whose population is in excess of 600,000 according to the last or any subsequent federal decennial census.

Also amend Section 1 of Senate Bill 23 by adding at the end of said Section 1 the following words and figures:

"Provided however this act shall not apply in any county whose population is in excess of 300,000 according to the last or any subsequent federal decennial census.

On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Cooper	Jackson	Pelham
Adams	Folsom	Leonard	Stone
Branyon	Giles	Lindsey	Torbert
Carr	Givhan	Lolley	Turner
Clark	Goodwyn	Oden	

—18

Nays:

Messrs.:	Engel	Morrow	Pierce
Albea	Harris	Nabors	Skidmore
Bailes	Hawkins	O'Bannon	Vacca
Dominick	McDermott		

—13

Mr. Dominick offered the following amendment to the Bill, S. B. 23, to-wit:

AMENDMENT TO S. B. 23

Amend S. B. 23 as follows:

(1) Amend Section 1 of S. B. 23 by adding to said section, as the last sentence thereof, the following:

"Provided, however, that no provision of this Act shall apply to any municipality operating under the provisions of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama, as amended. (1955 Acts of Alabama, page 1004, et seq.)"

(2) Amend Section 12 of S. B. 23 by striking said Section 12 and substituting in lieu thereof a new Section 12 as follows:

"Section 12. This Act shall be cumulative in its nature; however, all conflicting provisions of law are hereby expressly repealed except that no provision of Act No. 452 of the 1955 Regular Session of the

Legislature of Alabama, as amended (1955 Acts of Alabama, page 1004, et seq.), shall be deemed repealed by this Act."

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered the same to be returned to the Senate with a favorable report, with substitute, to-wit:

S. J. R. 13. Creating a legislative interim committee to study the federal Highway Safety Act of 1966.

The Rules Committee reported the following substitute for the Resolution, S. J. R. 13, to-wit:

Substitute for S. J. R. 13

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a committee to meet during the interim between the effective date of this resolution and the opening day of the regular session of the Legislature in May following. It shall be the duty of this committee to study the federal Highway Safety Act of 1966 and its impact on Alabama, with a view toward determining what legislative action, if any, is needed to enable Alabama to avail itself of any advantages that may accrue to a state under such act, and to put this state in such a position that it will not incur any penalties under such act because of a lack of statutory authority by the proper official or officials of the state and of its political sub-divisions to take requested or desired action. It shall also determine what, if any, provisions of such act so adversely affect Alabama as to warrant memorializing Congress to amend, repeal or implement such provisions. The Committee shall make a report of its findings, conclusions and recommendations to the two houses not later than the fifth legislative day of the regular session; whereupon the committee shall be dissolved. The committee shall be composed of three Senators, appointed by the President of the Senate, and two members of the House of Representatives appointed by the Speaker. The members of the committee shall elect a chairman and a vice-chairman from among their number. The first meeting of the committee shall be held at such time and place as designated by the President of the Senate; thereafter the committee shall meet on the call of the chairman.

BE IT FURTHER RESOLVED That members of the committee shall not be entitled to receive their regular legislative compensation for performance of their duties hereunder.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor as provided in Article 5, Section 125 of the Constitution.

Which was adopted.

And said Resolution, S. J. R. 13, as thus amended by the substitute, was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered the same returned to the Senate with a favorable report, with amendment, to-wit:

H. J. R. 9. Creating the "TECUMSEH Committee" to investigate the proposed raising of the warship Tecumseh.

The Rules Committee reported the following amendment to the Resolution, H. J. R. 9, to-wit:

AMENDMENT TO H. J. R. 9

Amend H. J. R. 9 by deleting the last sentence therefrom.

Which was adopted.

And said Resolution, H. J. R. 9, as thus amended, was then concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered the same returned to the Senate with a favorable report, with substitute, to-wit:

S. J. R. 19. Relative to the adjournment of the two Houses.

The Rules Committee reported the following substitute for the Resolution, S. J. R. 19, to-wit:

SUBSTITUTE FOR S. J. R. 19

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the Senate adjourns today, March 16, it adjourn to meet again on Tuesday, March 21, and that when the House adjourns on Friday, March 17, it adjourn to meet again on Tuesday, March 21.

Which was adopted.

And said Resolution, S. J. R. 19, as amended by the substitute, was then adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Senate proceeded to further consideration of the Bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

The question was on the amendment offered by Mr. Dominick. On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 18; Nays 14.

Yeas:

Messrs.:
Branyon
Carr
Clark
Cooper

Engel
Folsom
Giles
Givhan
Goodwyn

Jackson
Leonard
Lindsey
Lolley
Oden

Pelham
Stone
Torbert
Turner

Nays:

Messrs.:	Childs	McDermott	Pierce
Adams	Dominick	Morrow	Skidmore
Albea	Harris	Nabors	Vacca
Bailes	Hawkins	O'Bannon	—14

Mr. Carr offered the following amendment to the Bill, S. B. 23, to-wit:

Amendment to S. B. 23

Amend Senate Bill 23 as follows:

In section 12, add the following sentence at the end thereof:

Nothing contained in this Act shall be construed to modify or change, amend or repeal any local law of Marshall County which regulates the purchasing by said County.

On motion of Mr. Goodwyn, further consideration of the Bill, S. B. 23, and pending amendment, was postponed until the next Legislative Day as Unfinished Business.

ADJOURNMENT

At 11:01 A. M., on motion of Mr. Folsom, pending further consideration of the Bill, S. B. 23, and in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Tuesday, March 21, 1967, at 2 o'clock P. M.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Clark	Harris	O'Bannon
Adams	Cooper	Leonard	Oden
Bailes	Engel	Lindsey	Skidmore
Branyon	Folsom	Lolley	Stone
Carr	Giles	McDermott	Torbert
Childs	Givhan	Morrow	Vacca
			—23

Nays:

Messrs.:	Goodwyn	Nabors	Pierce
Albea	Hawkins	Pelham	Turner
Dominick			—8

TENTH LEGISLATIVE DAY

TUESDAY, MARCH 21, 1967

(The Senate was not in session on the Ninth Legislative Day.)

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Lieutenant Colonel Mervin Johnson, Wing Chaplain, Maxwell Air Force Base, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	O'Bannon	

—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Eighth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Stone for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Albea:

S. 91. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Nabors:

S. 92. To change the time of meeting of the legislature in regular sessions; amending Code of Alabama Title 32, Section 4.

Committee on Constitution and Constitutional
Revision and Amendments.

By Messrs. Hawkins, Skidmore and Morrow:

S. 93. To amend the Code of Alabama 1940, Title 52, Section 509 (1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

Committee on Education.

By Mr. Clark:

S. 94. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

Committee on Banking.

By Mr. Goodwyn:

S. 95. To create a lien in favor of any person, firm, or corporation who provides ambulance service from the scene of the accident to the owner of a motor vehicle, involved in such accidents and to provide for its enforcement.

Committee on Judiciary.

By Mr. Turner:

S. 96. To make an additional appropriation for the expenses of the Court of Appeals.

Committee on Finance and Taxation.

By Mr. Turner:

S. 97. To make an appropriation to the Governor's Committee on the Status of Women.

Committee on Finance and Taxation.

By Messrs. Clark, Adams, Givhan, Turner, Lindsey, Cooper, Branyon, Oden, McCarley, Jackson and Lolley:

S. 98. To fix the rate of assessing property for taxation and repeal conflicting laws.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 19. Relative to the adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mrs. Collins (C), Messrs. Wood, Marr, Smith, Perloff, Hogan and Edington:

H. J. R. 38. WHEREAS, The death of Richard Murray on Tuesday, March fourteenth, nineteen hundred sixty-seven, has brought sorrow to his family and to his many friends, not only in Mobile and Point Clear, but over the State of Alabama and in other states as well; and

WHEREAS, Richard Murray was prominent all of his life in shipping circles, being a retired Vice President of Waterman Steamship Corporation of Mobile; and

WHEREAS, Richard Murray was always active in the business, civic and social life of Mobile, being at the time of his death a member of the Board of Directors of the First National Bank of Mobile, and of Southern Industries Corporation, and holding memberships in the Mobile and Lakewood Country Clubs, the Athelstan Club, and in several mystic societies, and was a veteran of World War I.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deplore the loss of Richard Murray, whose death deprives the community and the State of one of its leaders, and that we extend our heartfelt sympathy to his family; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Mr. Murray's wife and family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Engel, the Rules were suspended and the Resolution, H. J. R. 38, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Cameron and Hobbie:

H. J. R. 40. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a committee composed of two members of the House and two members of the Senate, to be appointed by the Speaker and President of the Senate respectively, to investigate the feasibility and propriety of purchasing a new limousine for the official use of the Governor. Said committee is to report back its findings not later than the first week of the next regular session.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 40, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Thomas, Bank, Culver and Brown:

H. J. R. 41. WHEREAS five teen-agers were killed in a sudden and tragic accident when their small foreign made car was struck by a freight train at the A. G. S. Southside depot in Tuscaloosa on the night of March 15, 1967; and

WHEREAS the victims of this fatal accident were three sisters, Linda, Louise, and Shirley Paris, daughters of Mr. and Mrs. Herbert P. Paris of Paulton; Gary Fikes, son of Mr. and Mrs. Curtis Fikes of Duncanville; and Lawson Boatner, Jr., son of Mr. and Mrs. Lawson Boatner, Sr. of Duncanville; and

WHEREAS the untimely and tragic deaths of these fine and promising young people has shocked and grieved the people of this State; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING That we extend to the families of Linda, Louise and Shirley Paris; Gary Fikes; and Lawson Boatner, Jr. our deepest and heartfelt sympathy and the hope that God may sustain them in their grief.

RESOLVED FURTHER That copies of this resolution shall be sent to Mr. and Mrs. Paris, Mr. and Mrs. Fikes, and Mr. and Mrs. Boatner.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 41, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Slate and Doss:

H. J. R. 42. WHEREAS, Ewell K. Gregg of Morgan County, Alabama, departed this life in the month of March, 1967, and

WHEREAS, Ewell K. Gregg was most active for many years in civic activities of Morgan County, Alabama, and

WHEREAS, He was a prominent business man active in community affairs, and

WHEREAS, His presence will be sorely missed by the people of Morgan County

NOW THEREFORE BE IT RESOLVED That this Legislature does mourn the death of Ewell K. Gregg, and

BE IT FURTHER RESOLVED That a copy of this resolution be forwarded to the widow of Ewell K. Gregg of Decatur, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Harris, the Rules were suspended and the Resolution, H. J. R. 42, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Slate and Doss:

H. J. R. 43. WHEREAS, Clyde McRae of Decatur, Alabama, departed this life during the month of March, 1967, and

WHEREAS, the said Clyde McRae was a long-time resident and business man of Morgan County, Alabama, and

WHEREAS, he was most active in civic, religious, fraternal and business activities of Morgan County, Alabama, and

WHEREAS, his presence will be sorely missed by the residents of Morgan County, Alabama

NOW, THEREFORE, BE IT RESOLVED That this Legislature does mourn the untimely death of Clyde McRae, and

BE IT FURTHER RESOLVED That a copy of this resolution be forwarded to the family of said Clyde McRae of Decatur, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Harris, the Rules were suspended and the Resolution, H. J. R. 43, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Shumate and Dobbs:

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

Be It Enacted by the Legislature of Alabama:

Section 1. All school lunchroom managers, assistants and workers who are employed by any county or city board of education in the operation or management of a lunchroom in any public school in Walker County shall each be paid not less than eight dollars (\$8) per day for each day actually engaged in the performance of their duties, and each janitor employed by any such county or city board of education shall be paid not less than two hundred dollars (\$200) per month for the performance of his janitorial duties.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: January 12, 1967 January 19, 1967 January 26, 1967 February 2, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 6 day of March, 1967

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Thomas, Pruitt, Merrill, Pennington, Bowers, Adwell, Drake, Owens (W. E.), Mathews, Crawford, McDonald, Collins (W), Graham, House, Culver, Bank, Brown and Smith (P):

H. 68. To make an appropriation to the State Department of Mental Health.

Also:

By Messrs. Thomas, Pruitt, Merrill, Pennington, Bowers, Adwell, Drake, Owens (W. E.), Mathews, Crawford, McDonald, Collins (W), Graham, House, Culver, Bank, Brown and Smith (P):

H. 69. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

Also:

By Messrs. Merrill, Bowers, Adwell, Drake and Thomas:

H. 9. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

Also:

By Messrs. Merrill, Drake, Adwell, Bowers and Thomas:

H. 11. To make an additional appropriation to the Agricultural Center Board.

Also:

By Mr. Owens (W. E.):

H. 43. To make an appropriation to the office of the Attorney General and to provide for Special Assistant Attorneys General and Investigators.

Also:

By Messrs. Pruitt and Pennington:

H. 66. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 114. To the Committee on Local Legislation No. 1.

H. B.'s 68, 69, 9, 11, 43 and 66. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook and Steagall:

H. 26. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Also:

By Messrs. Pennington, Fite, Thomas, Mathews, Merrill, Drake, Bowers, Adwell, Owens (W.E.), Jones, Snodgrass and Laxson:

H. 49. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 26. To the Committee on Judiciary.

H. B. 49. To the Committee on Banking.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adams (with notice and proof):

S. 90. Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

By Mr. Pearson (with notice and proof):

H. 2. Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

By Mr. Lemley (with notice and proof):

H. 19. Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the county treasury.

By Mr. Lemley (with notice and proof):

H. 20. Relating to Blount County: Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or

garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

By Mr. Lemley (with notice and proof):

H. 21. Relating to Blount County: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

By Mr. Lemley (with notice and proof):

H. 22. Relating to Blount County, authorizing and directing the governing body of said county to provide for the appointment by the Sheriff of a Deputy Sheriff in addition to all other deputies provided by law.

By Messrs. Collier, Pearson and Headley (with notice and proof):

H. 76. To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Mr. Leonard, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn and Pierce:

S. 52. To authorize the county governing body of any county in this State to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

RESOLUTIONS

Mr. Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. WHEREAS the invincible athletic forces of Sidney Lanier High School won another brilliant victory on March 11, 1967 when the Poets' basketball team clinched the State Class 4A championship by upsetting the powerful Tuscaloosa Bears to win its fourth championship in six years; and

WHEREAS Coach Bill Joiner's inspired players put on a tremendous attack and impenetrable defense in stunning a team that had suffered only one defeat during the year, and this by Montgomery's Robert E. Lee High School; and

WHEREAS Lanier's football team won decisive victories over all its opponents during the 1966 football season, and twice defeated its most powerful competitor; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate the Sidney Lanier High School athletic forces and commend each member of

the basketball and football teams, Coach Bill Joiner, Coach Bob Wilson, and all assistant coaches and managers for their outstanding performances and impressive victories.

RESOLVED FURTHER That a copy of this resolution be sent to the principal of Sidney Lanier High School.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crawford and Stenbridge:

H. 122. Relating to Henry County: To provide further for the distribution of fines and forfeitures in certain cases.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

TO WHOM IT MAY CONCERN:

Notice is hereby given of the intention to have an act passed by the Legislature of the State of Alabama, which, in words and figures shall be and provide as follows:

AN ACT

Relating to Henry County: To provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

SECTION I. One-half of all fines and forfeitures hereafter paid by persons convicted in Courts of competent jurisdiction within Henry County, Alabama, of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Henry County, Alabama, and the remainder shall be remitted by proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

SECTION II. All laws or parts of laws which conflict with this Act are hereby repealed.

SECTION III. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
HENRY COUNTY.

Before me, Nathalie S. Dodd, a Notary Public in and for said County, in said State, personally appeared J. Edward Dodd, who is known to me, and who by me being duly sworn, deposes and says that he is the Pub-

lisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks on, to-wit: January 26, 1967 February 2, 1967 February 9, 1967 February 16, 1967

THE ABBEVILLE HERALD,
J. EDWARD DODD.

Sworn to and subscribed before me, this 16 day of February, 1967.

NATHALIE S. DODD,
Notary Public.

Also:

By Messrs. Hogan, Downing, Grayson, Perloff, Collins (W), and Smith (C):

H. 55. To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

Also:

By Mr. Edington:

H. 105. To amend further Act No. 422, H. 325, Regular Session 1951, an act known as "The Alabama Real Estate License Law of 1951."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 122 and 55. To the Committee on Local Legislation No. 1.

H. B. 105. To the Committee on Judiciary.

RECESS

At 2:30 o'clock P. M., on motion of Mr. Nabors, the Senate took a recess until 3 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	O'Bannon	

BILLS ON THIRD READING

The Bill:

S. 4. To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof.

was taken up.

Mr. Nabors offered the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 4

Amend Senate Bill 4 by striking Section 1 in its entirety and inserting in lieu thereof the following:

Section 1: The boundaries of the Town of Rainbow City, in Etowah County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of such Town, in addition to the territory included in the present corporate limits of such Town, the following described territory:

To describe an addition to the Town of Rainbow City, Alabama, begin at the Northwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 31, Township 12 South, Range 6 East; thence run South along the West line of said forty to the Southwest corner thereof; thence run East and along the South line of said Section 31 to the Southeast Corner of said Section; thence run South and along the Westerly line of Section 5, lying North or West of Coosa River, Township 13 South, Range 6 East, to the Northwesterly bank of said Coosa River; thence run Northeasterly and along the said bank of Coosa River to the Westerly right-of-way line of State Highway No. 77; thence run Northwesterly and along the right-of-way line of said Highway to the intersection with the North line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 32, Township 12 South, Range 6 East; thence run West and along the North line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 32 to the Northwest corner of said forty; thence run South to the Southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ in said Section 32; thence run West to the Northwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ in said Section 32; thence run South to the Southwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ in said Section 32; thence run West and along the North line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the point of beginning. Containing all of the following forties: SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 31, Township 12 South, Range 6 East; all of the SW $\frac{1}{4}$ (160 acres) and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 32, Township 12 South, Range 6 East; Portions of the following forties: SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and those portions of the SE $\frac{1}{4}$ lying North and West of Coosa River, all in Section 32, Township 12 South, Range 6 East and all of the Fractional Section 5, Township 13 South, Range 6 East, lying West or North of the Coosa River.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pierce
Adams	Engel	McCarley	Radney
Albea	Folsom	McDermott	Skidmore
Bailes	Gilmore	Nabors	Torbert
Carr	Goodwyn	Oden	Turner
Clark	Hawkins	Pelham	Vacca
Cooper	Jackson		

—25

Nays:

—0

And said Bill, S. B. 4, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pierce	
Adams	Engel	McCarley	Radney	
Albea	Folsom	McDermott	Skidmore	
Bailes	Gilmore	Nabors	Torbert	
Carr	Goodwyn	Oden	Turner	
Clark	Hawkins	Pelham	Vacca	
Cooper	Jackson			—25

Nays:

—0

The Bill:

S. 42. To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Oden	
Adams	Engel	Leonard	Pierce	
Albea	Folsom	Lindsey	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Givhan	Morrow	Torbert	
Carr	Goodwyn	Nabors	Turner	
Childs	Harris			—25

Nays:

—0

The Bill:

S. 79. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Folsom	Leonard	Pelham	
Albea	Giles	Lolley	Pierce	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	Morrow	Torbert	
Childs	Harris	O'Bannon	Vacca	
Clark	Hawkins			—25

Nays:

—0

The Bill:

H. 4. To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate

limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Giles	Lolley	Pierce	
Albea	Gilmore	McDermott	Skidmore	
Bailes	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Jackson			—25

Nays:

—0

The Bill:

H. 5. To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden	
Adams	Folsom	Lindsey	Pierce	
Bailes	Giles	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Turner	
Clark	Harris	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 17. To provide further for the compensation of the circuit court judges of the seventh judicial circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 27. To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Gilmore	McCarley	Radney
Branyon	Givhan	Morrow	Skidmore
Carr	Goodwyn	O'Bannon	Turner
Clark	Hawkins		

—25

Nays:

—0

The Bill:

H. 28. To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Goodwyn	Nabors
Adams	Dominick	Harris	O'Bannon
Albea	Engel	Lindsey	Pelham
Bailes	Folsom	Lolley	Radney
Branyon	Giles	McCarley	Skidmore
Carr	Gilmore	McDermott	Turner
Childs	Givhan		

—25

Nays:

—0

The Bill:

H. 29. Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Nabors
Adams	Engel	Jackson	Oden
Albea	Folsom	Lindsey	Pelham
Carr	Giles	Lolley	Pierce
Childs	Gilmore	McCarley	Skidmore
Clark	Givhan	Morrow	Turner
Cooper	Goodwyn		

—25

Nays:

—0

The Bill:

H. 30. To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Oden
Adams	Dominick	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McDermott	Radney
Branyon	Gilmore	Morrow	Skidmore
Carr	Goodwyn	O'Bannon	Turner
Childs	Harris		

—25

Nays:

—0

The Bill:

H. 32. Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham
Bailes	Gilmore	McCarley	Radney
Branyon	Givhan	McDermott	Skidmore
Carr	Goodwyn	Nabors	Torbert
Childs	Harris	O'Bannon	Turner
Clark	Hawkins	Oden	Vacca
Cooper	Leonard		

—25

Nays:

—0

The Bill:

H. 33. Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pierce
Adams	Folsom	Lolley	Radney
Albea	Gilmore	McCarley	Skidmore
Bailes	Givhan	Morrow	Torbert
Carr	Goodwyn	Nabors	Turner
Childs	Hawkins	O'Bannon	Vacca
Cooper	Jackson		

—25

Nays:

—0

The Bill:

H. 35. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Adams	Gilmore	McCarley	Radney	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Harris	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Cooper	Leonard			—25

Nays:

—0

The Bill:

H. 36. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Gilmore	McDermott	Skidmore	
Bailes	Givhan	Morrow	Torbert	
Branyon	Goodwyn	Nabors	Turner	
Childs	Harris	O'Bannon	Vacca	
Clark	Hawkins			—25

Nays:

—0

The Bill:

H. 37. To provide an expense allowance for the deputy district attorney of Dale County amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Engel	Lindsey	Pelham	
Bailes	Giles	McCarley	Pierce	
Branyon	Gilmore	McDermott	Radney	
Carr	Givhan	Morrow	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Jackson			—25

Nays:

—0

The Bill:

H. 38. Relating to Dale County; providing for the time of closing county offices.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, to-wit:

Amendment to H. B. 38

H. B. 38 is amended by adding at the end of Section 1 thereof the following sentence: "The provisions of this section shall not apply to the County Department of Pensions and Security."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Adams	Giles	Lolley	Pierce	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Torbert	
Carr	Harris	Nabors	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays:

—0

And said Bill, H. B. 38, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Adams	Giles	Lolley	Pierce	
Bailes	Gilmore	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Torbert	
Carr	Harris	Nabors	Turner	
Clark	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays:

—0

The Bill:

H. 39. To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Clark	Folsom
Adams	Carr	Dominick	Gilmore
Bailes	Childs	Engel	Givhan

Goodwyn	McCarley	Pelham	Skidmore
Harris	McDermott	Pierce	Torbert
Leonard	Morrow	Radney	Turner
Lindsey	Oden		

—25

Nays:

—0

The Bill:

H. 44. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lolley	Pierce
Albea	Giles	McDermott	Radney
Branyon	Givhan	Morrow	Skidmore
Carr	Goodwyn	Nabors	Torbert
Childs	Harris	Oden	Turner
Clark	Hawkins		

—25

Nays:

—0

The Bill:

H. 45. To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham
Adams	Folsom	Lolley	Pierce
Albea	Giles	Morrow	Radney
Bailes	Harris	Nabors	Skidmore
Branyon	Hawkins	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick	Leonard		

—25

Nays:

—0

The Bill:

H. 46. Relating to Greene County; providing for closing county offices on Saturdays.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden
Adams	Folsom	Lindsey	Pelham
Albea	Giles	McCarley	Radney
Branyon	Givhan	McDermott	Skidmore
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Dominick	Jackson		

—25

Nays:

—0

The Bill:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	O'Bannon	
Adams	Folsom	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Radney	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	Morrow	Torbert	
Childs	Hawkins	Nabors	Turner	
Cooper	Jackson			—25

Nays:

—0

The Bill:

H. 73. To amend Act No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Albea	Gilmore	Lolley	Radney	
Bailes	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Turner	
Clark	Jackson	Oden	Vacca	
Cooper	Leonard			—25

Nays:

—0

The Bill:

H. 74. To regulate further the salary of the secretary of the sheriff of Walker County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Lindsey	Pierce	
Adams	Folsom	Lolley	Radney	
Albea	Gilmore	McCarley	Skidmore	
Bailes	Goodwyn	Nabors	Torbert	
Branyon	Harris	O'Bannon	Turner	
Carr	Jackson	Pelham	Vacca	
Childs	Leonard			—25

Nays:

—0

The Bill:

H. 107. To amend Sections 3, 13, and 21 of Act No. 115, H. 191, Special Session 1966 (Acts 1966, p. 147), an act to create the office of commissioner of licenses in counties having populations of not less than 57,000 nor more than 61,000, with respect to the compensation of the commissioner of licenses, and giving the amendatory act retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pelham	
Adams	Engel	McCarley	Pierce	
Albea	Folsom	McDermott	Radney	
Branyon	Gilmore	Morrow	Skidmore	
Carr	Givhan	Nabors	Torbert	
Childs	Harris	Oden	Turner	
Cooper	Jackson			—25

Nays:

—0

The Bill:

H. 113. Relating to Walker County: to amend Act No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol. I, p. 166).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham	
Adams	Folsom	McCarley	Pierce	
Albea	Gilmore	McDermott	Radney	
Bailes	Givhan	Morrow	Torbert	
Branyon	Hawkins	O'Bannon	Turner	
Carr	Jackson	Oden	Vacca	
Cooper	Leonard			—25

Nays:

—0

The Bill:

S. 87. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Oden
Adams	Folsom	Lindsey	Pierce
Albea	Giles	Lolley	Skidmore
Bailes	Gilmore	Morrow	Torbert
Carr	Goodwyn	Nabors	Turner
Childs	Hawkins	O'Bannon	Vacca
Cooper	Jackson		

—25

Nays:

—0

The Bill:

H. 99. To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I, p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Jackson	Oden
Adams	Cooper	Leonard	Pierce
Albea	Folsom	Lindsey	Radney
Bailes	Giles	McCarley	Torbert
Branyon	Givhan	McDermott	Turner
Carr	Goodwyn	Nabors	Vacca
Childs	Harris		

—25

Nays:

—0

The Bill:

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

was taken up.

Mr. Oden offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 98

Amend H. B. 98 by striking therefrom Section 3 of said bill and adding in lieu thereof the following:

"Section 3. Provided, however, that any resident of this County may set such steel trap or similar device on real estate owned by him and may also grant written permission to any person or persons to trap on said land as the owner may designate in writing from year to year."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Hawkins	Nabors
Adams	Dominick	Jackson	Oden
Albea	Engel	Leonard	Radney
Bailes	Giles	Lindsey	Skidmore
Branyon	Gilmore	McCarley	Torbert
Carr	Goodwyn	Morrow	Turner
Childs	Harris		

—25

Nays:

—0

And said Bill, H. B. 98, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Harris	Nabors	
Adams	Cooper	Jackson	Oden	
Albea	Engel	Lindsey	Pierce	
Bailes	Folsom	McCarley	Radney	
Branyon	Giles	McDermott	Torbert	
Carr	Gilmore	Morrow	Vacca	
Childs	Goodwyn			—25

Nays:

—0

RESOLUTIONS

Messrs. Goodwyn, Childs, Hawkins, Vacca, Dominick, Bailes, Morrow and Gilmore offered the following Senate Resolution, to-wit:

S. R. 21. WHEREAS, the Birmingham Regional Blood Program will be presented with a special certificate of appreciation on March 22, 1967 for their efforts in collecting blood for our Armed Forces in Vietnam, and

WHEREAS, the Birmingham Regional Blood Center has collected more blood for the Defense Department than any of the other fifty-five centers in the United States, and

WHEREAS, this record of accomplishment shows the high degree of patriotism of Alabamians and Mississippians participating in this Program, and

WHEREAS, the record of the people of Alabama in supporting the efforts of our Armed Forces in every conflict in which the United States has been engaged is equal or surpasses the record of the people of any other state in the Union, and

WHEREAS, there are those who seek to question the patriotic spirit of the people of Alabama, either from ignorance or through diabolic design,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA That we do hereby commend the Birmingham Regional Blood Center for placing first in the Country in the collection of blood for our Armed Forces in Viet Nam.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Honorable Roscoe D. Whatley, Manager, Birmingham Area Chapter, The American National Red Cross, 2316 Fourth Avenue, North, Birmingham, Alabama.

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To Members of the Senate of Alabama
State Capitol Building
Montgomery, Alabama

Gentlemen:

I transmit herewith a message from the Governor pertaining to the milk industry which I am sure that you will be glad to consider.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

March 15, 1967

To Members of the Senate of Alabama
State Capitol Building
Montgomery, Alabama

Gentlemen:

As you know, an Ad Hoc Committee was appointed on January 5, 1967, to make a complete study of the milk industry in the State of Alabama. This Committee of distinguished Alabamians worked almost continuously from January 5, 1967, to February 24, 1967, studying all facets of the milk industry. At the conclusion of their study and upon its submission to me, the Milk Control Board, based upon the evidence which it had taken in public hearings and also upon the findings and recommendations contained in the Ad Hoc Committee report, increased the price of milk to the consumers in Alabama.

One of the recommendations in the Ad Hoc Committee report was that the Legislature should examine the present law regarding the membership of the Milk Control Board. I am sure that the Legislature, or a committee thereof, might be interested in studying the comprehensive report and recommendations made by the Ad Hoc Committee and I am attaching a copy of this report hereto for this purpose.

You recognize that milk is a necessary article of food and the production and maintenance of an adequate supply of healthful milk is vital to the public health and welfare. Many things influence the price at which a customer can buy. You may wish to make a separate study of the milk industry in the light of present day conditions to see whether or not additional legislation may be needed in this vital industry.

My office will be glad to cooperate with you in any way possible to assure the public of a good, wholesome supply of milk and milk products at a reasonable price.

Respectfully submitted,

LURLEEN B. WALLACE,
Governor of Alabama.

GOVERNOR'S MESSAGE

The report of the Ad Hoc Committee to study the milk industry, contained in the foregoing Message from Her Excellency, the Governor, was ordered filed with the Secretary.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 22. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the Senate adjourns today, March 21, it adjourn to meet again on Wednesday, March 22, and that when it adjourns on March 22, it adjourn to meet again on Thursday, March 23, and that when the Senate adjourns on Thursday, March 23, it adjourn to meet again on Tuesday, March 28, and that when the House adjourns on Friday, March 24, it adjourn to meet again on Tuesday, March 28.

Which was read and referred to the Standing Committee on Rules.

UNFINISHED BUSINESS
BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first of which was the Bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

The question was on the amendment offered by Mr. Carr, which said amendment is set out at length in the Journal of the Senate for the Eighth Legislative Day. On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 17; Nays 16.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon	
Adams	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Torbert	
Branyon	Givhan	McCarley	Turner	
Cooper	Goodwyn			—17

Nays:

Messrs.:	Dominick	McDermott	Pierce	
Bailes	Gilmore	Morrow	Radney	
Carr	Harris	Nabors	Skidmore	
Childs	Hawkins	Oden	Vacca	
Clark				—16

Mr. Carr offered the following amendment to the Bill, S. B. 23, as follows:

Amendment to S. B. 23

Amend S. B. 23 as follows:

In Sections 1, 3, and 6 of the bill, strike out the words and figures "five hundred dollars (\$500.00)" and insert the words and figures "three hundred dollars (\$300.00)"

On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 24; Nays 9.

Yeas:

Messrs.:	Giles	Lindsey	Pelham	
Adams	Givhan	Lolley	Pierce	
Branyon	Goodwyn	McDermott	Radney	
Clark	Harris	Nabors	Skidmore	
Cooper	Hawkins	O'Bannon	Torbert	
Dominick	Jackson	Oden	Turner	
Engel				—24

Nays:

Messrs.:	Carr	Leonard	Morrow
Albea	Childs	McCarley	Vacca
Bailes	Gilmore		

—9

Mr. Goodwyn offered the following amendment to the Bill, S. B. 23, to-wit:

Amendment to S. B. 23

Amend S. B. 23 by deleting the period where it appears at the end of the first sentence of Section 2 and add thereto the following words " , nor shall this Act apply to any purchases of products where the price of such products are already regulated and established by state law,"

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon
Adams	Engel	Leonard	Oden
Albea	Folsom	Lindsey	Pelham
Bailes	Giles	Lolley	Pierce
Branyon	Gilmore	McCarley	Radney
Carr	Goodwyn	McDermott	Torbert
Childs	Harris	Morrow	Turner
Clark	Hawkins	Nabors	Vacca
Cooper			

—32

Nays:

—0

Mr. Goodwyn then offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

Amend Senate Bill 23 by adding at the end of the first sentence of Section 2, Line 18, the following:

nor to purchases made by individual schools of the county or municipal public school systems from monies other than those raised by taxation or received through appropriations from state or county sources.

Which was adopted.

Yeas 29; Nays 4.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors
Adams	Engel	Jackson	O'Bannon
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Skidmore
Childs	Givhan	McDermott	Turner
Clark	Goodwyn	Morrow	Vacca
Cooper	Harris		

—29

Nays:

Messrs.:	McCarley	Radney	Torbert
Carr			

—4

Mr. Goodwyn then offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

Amend Senate Bill 23 by adding at the end of Section 1 thereof the following:

Provided, however, that the local purchasing agent may obtain from the State Purchasing Agent, upon request, current state contracts as to the items or commodities involved and may utilize these contracts in lieu of the competitive purchasing procedures prescribed.

On motion of Mr. Torbert, said amendment was laid on the table.

Yeas 31; Nays 3.

Yeas:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Torbert
Childs	Harris	Morrow	Turner
Clark	Hawkins	O'Bannon	Vacca

—31

Nays:

Messrs.:	Cooper	Goodwyn	Nabors
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—3

Mr. Goodwyn then offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

Amend Section 3 of Senate Bill 23 by placing a period following the word "service" in the ninth line and striking from said Section 3 the words following, commencing on Line 9:

nor in any firm, partnership, association or corporation furnishing any such personal property or contractual services.

Mr. Bailes moved that said amendment be laid on the table, which motion was lost.

And said amendment to the Bill, S. B. 23, as amended, was then adopted by the Senate.

Yeas 26; Nays 6.

Yeas:

Messrs.:	Gilmore	Lolley	Pelham
Childs	Givhan	McCarley	Pierce
Clark	Goodwyn	McDermott	Radney
Cooper	Harris	Morrow	Skidmore
Engel	Hawkins	Nabors	Torbert
Folsom	Jackson	O'Bannon	Turner
Giles	Lindsey	Oden	

—26

Nays:

Messrs.:	Bailes	Carr	Vacca
Albea	Branyon	Dominick	

—6

Mr. McCarley offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

Amend S. B. 23 by deleting the words and figures "five hundred dollars (\$500.00)" wherever they appear in Sections 1 and 6 of said bill and insert in lieu thereof the following words and figures "four hundred dollars (\$400.00)".

On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 27; Nays 6.

Yeas:

Messrs.:	Folsom	Jackson	Oden
Adams	Giles	Lindsey	Pelham
Branyon	Gilmore	Lolley	Pierce
Clark	Givhan	McDermott	Radney
Cooper	Goodwyn	Morrow	Torbert
Dominick	Harris	Nabors	Turner
Engel	Hawkins	O'Bannon	Vacca

—27

Nays:

Messrs.:	Bailes	Leonard	Skidmore
Albea	Carr	McCarley	

—6

Mr. McCarley then offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

Amend S. B. 23 by deleting the words and figures "five hundred dollars (\$500.00)" wherever they appear in Sections 1 and 6 of said bill and insert in lieu thereof the following words and figures "three hundred fifty dollars (\$350.00)".

On motion of Mr. Goodwyn, said amendment was laid on the table.

Mr. McCarley then offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

Strike Section 12 and insert in lieu thereof the following:

This Act shall not take precedence over competitive bid laws in those counties where such laws are in existence on the date that this act becomes effective.

Mr. McCarley then offered the following amendment to his pending amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to McCarley Amendment No. 3 to S. B. 23

Amend McCarley Amendment No. 3 by adding the following at the end thereof:

; provided said competitive bid laws apply to the same governmental agencies covered by this Act.

On motion of Mr. Goodwyn, said amendment to the McCarley Amendment No. 3 was laid on the table.

Yeas 20; Nays 12.

Yeas:

Messrs.:	Folsom	Jackson	Pelham
Branyon	Giles	Leonard	Radney
Childs	Givhan	McDermott	Skidmore
Clark	Goodwyn	O'Bannon	Torbert
Dominick	Harris	Oden	Turner
Engel			

—20

Nays:

Messrs.:	Cooper	Lindsey	Nabors
Albea	Gilmore	McCarley	Pierce
Bailes	Hawkins	Morrow	Vacca
Carr			

—12

The question then recurred on the McCarley Amendment No. 3 and on motion of Mr. Goodwyn, said amendment was then laid on the table.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Folsom	Jackson	Pelham
Albea	Giles	Leonard	Radney
Branyon	Givhan	McDermott	Skidmore
Clark	Goodwyn	O'Bannon	Torbert
Cooper	Harris	Oden	Turner

—19

Nays:

Messrs.:	Dominick	Lindsey	Nabors
Bailes	Gilmore	McCarley	Pierce
Carr	Hawkins	Morrow	Vacca
Childs			

—12

Mr. McCarley then moved that further consideration of the Bill, S. B. 23, as amended, be postponed until the Twelfth Legislative Day. On motion of Mr. Goodwyn, the motion to postpone was laid on the table.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Dominick	Hawkins	Oden
Adams	Engel	Jackson	Pelham
Albea	Folsom	Leonard	Pierce
Branyon	Giles	Lindsey	Radney
Carr	Gilmore	McDermott	Skidmore
Childs	Givhan	Morrow	Torbert
Clark	Goodwyn	Nabors	Turner
Cooper	Harris	O'Bannon	Vacca

—31

Nays: Messrs.: Bailes, McCarley

—2

Mr. McCarley then moved that further consideration of the Bill, S. B. 23, as amended, be postponed until the Eleventh Legislative Day, which motion was lost.

Messrs. Torbert, Lindsey and Radney offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

In the caption and in Sections 1, 2, and 3 of the bill insert after the words "and the governing bodies of the municipalities of the state" the following words and figures:

and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Adams	Engel	Jackson	Oden
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Radney
Carr	Givhan	McCarley	Skidmore
Childs	Goodwyn	McDermott	Torbert
Clark	Harris	Morrow	Vacca
Cooper			

—32

Nays:

—0

Mr. Morrow offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

In Section 2, first sentence, add the following word at the end of the word "engineers," in line six, "consultants,"

Which was adopted.

Yeas 30; Nays 3.

Yeas:

Messrs.:	Dominick	Jackson	Pelham
Adams	Folsom	Leonard	Pierce
Albea	Giles	Lindsey	Radney
Bailes	Gilmore	McDermott	Skidmore
Branyon	Givhan	Morrow	Torbert
Carr	Goodwyn	Nabors	Turner
Childs	Harris	O'Bannon	Vacca
Clark	Hawkins	Oden	

—30

Nays:

Messrs.:	Cooper	Lolley	McCarley
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—3

RESOLUTION

Messrs. Morrow, Bailes, Hawkins, Dominick, Childs, Gilmore and Vacca offered the following Senate Joint Resolution, to-wit:

S. J. R. 23. WHEREAS Benny Marshall, scintillating sports editor of the Birmingham News has been proclaimed the winner of the National Headliners Club award for his consistently outstanding sports columns covering a wide range of sports subjects; and

WHEREAS Mr. Marshall has been long recognized not only for the accuracy and dependability of his most informative column, but also for his clear and succinct manner of analysing his material and prognosticating future events in the sports world; and

WHEREAS Mr. Marshall began his sports writing career in 1935 when he was a fourteen year old freshman at Howard College (now Samford University), was subsequently a staff writer for the Birmingham Age-Herald, and later for the Birmingham News during which time he accumulated eleven Associated Press firsts, including one sweepstakes award for the best written story of any kind submitted that year, and has written a best seller entitled Winning Isn't Everything; and

WHEREAS Mr. Marshall is to be honored at Atlantic City the week of March 31—April 1 during the annual awards program of the National Headliners Club, an organization of his peers; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend Mr. Marshall upon the excellence of his writings, and extend to him our heartiest congratulations upon his receiving this latest award which he so richly deserves.

RESOLVED FURTHER That copies of this resolution be sent to Mr. Marshall and to the National Headliners Club.

On motion of Mr. Morrow, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 22. Relative to the adjournment of the two Houses.

And said Resolution was then adopted by the Senate.

ADJOURNMENT

Mr. Radney moved that the Senate adjourn until Wednesday, March 22, at 12 o'clock Noon.

Mr. Bailes moved as a substitute motion that the Senate adjourn until Wednesday, March 22, at 2 o'clock P. M., which motion was lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Engel	McCarley	Oden
Bailes	Giles	McDermott	Radney
Branyon	Harris	Morrow	Skidmore
Dominick	Lindsey	O'Bannon	

—14

Nays:

Messrs.:	Clark	Hawkins	Pelham
Adams	Cooper	Jackson	Pierce
Albea	Folsom	Leonard	Torbert
Carr	Gilmore	Lolley	Turner
Childs	Goodwyn	Nabors	Vacca

—19

The question then recurred on the motion of Mr. Radney, and at 5:30 P. M., in accordance with Joint Resolution heretofore adopted by the Senate, and pending further consideration of the Bill, S. B. 23, the Senate adjourned until Wednesday, March 22, 1967, at 12 o'clock Noon.

Yeas 19; Nays 15.

Yeas:

Messrs.:	Dominick	Lolley	Oden
Bailes	Engel	McCarley	Pierce
Branyon	Gilmore	McDermott	Radney
Childs	Harris	Morrow	Skidmore
Cooper	Lindsey	O'Bannon	Vacca

—19

Nays:

Messrs.:	Clark	Goodwyn	Nabors
Adams	Folsom	Hawkins	Pelham
Albea	Giles	Jackson	Torbert
Carr	Givhan	Leonard	Turner

—15

ELEVENTH LEGISLATIVE DAY

WEDNESDAY, MARCH 22, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Dr. J. R. White, Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Jour-

nal of the Senate for the Tenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON.
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Tenth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Clark:

S. 99. To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Committee on Local Legislation No. 1.

By Messrs. Adams, Clark, Harris, Lolley, Jackson and Stone:

S. 100. To amend Code of Alabama Title 29, Section 12, so as to prohibit advertisement of alcoholic beverages.

Committee on Temperance.

By Mr. Carr:

S. 101. To appropriate the sum of Three Thousand Eight Hundred and 50/100 Dollars to the Division of Game and Fish for additional construction of hatchery ponds and water supply systems at the Eastaboga Fish Hatchery from any unappropriated monies in the Game and Fish Fund.

Committee on Finance and Taxation.

By Messrs. Adams, Clark and Turner:

S. 102. To make an additional appropriation to the Department of Finance for repair and renovation of the First White House of the Confederacy.

Committee on Finance and Taxation.

By Messrs. McCarley and Harris:

S. 103. Fixing a fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated as the sheriff's fund; and providing for the use of such fund; repealing conflicting laws.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable

report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Crawford and Sternbridge (with notice and proof):

H. 122. Relating to Henry County: To provide further for the distribution of fines and forfeitures in certain cases.

By Mr. Albea:

S. 91. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature, and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

The above Bill was read a second time at length as required by the Constitution.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Shumate and Dobbs (with notice and proof) (with amendment):

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

Mr. Hawkins, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill, and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins, Skidmore and Morrow:

S. 93. To amend the Code of Alabama 1940, Title 52, Section 509(1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

BILL RECALLED AND RE-REFERRED

On motion of Mr. Skidmore, unanimous consent was given for the Bill, S. B. 78, to be recalled from the Standing Committee on Judiciary.

Mr. Skidmore then moved that said Bill, S. B. 78, be re-referred to the Standing Committee on Local Legislation No. 1, which motion was adopted, and said Bill, S. B. 78, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Local Legislation No. 1.

RESOLUTION

Messrs. Branyon, Goodwyn and Pierce offered the following Senate Resolution, to-wit:

S. R. 24. BE IT RESOLVED BY THE SENATE OF ALABAMA That an additional sum of \$1500.00, or so much thereof as may be needed,

is hereby appropriated from the legislative fund for completion of the Jesse Earl Speight Mall.

On motion of Mr. Branyon, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 61. To extend, alter and rearrange the boundary lines and corporate limits of the City of Fort Payne, in DeKalb County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Carr	Goodwyn	Morrow	Radney	
Childs	Harris	Nabors	Stone	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays:

—0

The Bill:

H. 81. To authorize the governing bodies of counties having a population of not less than 36,600 nor more than 37,600 according to the 1960 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	Lolley	Pierce	
Albea	Giles	Morrow	Stone	
Bailes	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays:

—0

The Bill:

S. 90. Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Radney
Adams	Givhan	Lolley	Skidmore
Carr	Goodwyn	McCarley	Stone
Childs	Harris	McDermott	Torbert
Clark	Hawkins	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick	Leonard		

—25

Nays:

—0

The Bill:

H. 2. Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham
Adams	Folsom	McCarley	Pierce
Albea	Giles	Morrow	Radney
Bailes	Gilmore	Nabors	Skidmore
Branyon	Givhan	O'Bannon	Stone
Carr	Goodwyn	Oden	Torbert
Childs	Leonard		

—25

Nays:

—0

The Bill:

H. 64. To regulate further the procedure for the abandoning of the commission form of government and the reorganization of the city government thereafter in all cities of this State which have populations of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census; to provide for the reorganization of such cities under a mayor and council; to prescribe the number of aldermen which shall comprise the council; to provide for the election of the mayor and aldermen and to prescribe their terms of office and their compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden
Adams	Engel	Lindsey	Pelham
Albea	Giles	Lolley	Radney
Bailes	Goodwyn	McDermott	Stone
Childs	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Turner
Cooper	Jackson		

—25

Nays:

—0

The Bill:

H. 19. Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Carr	Gilmore	O'Bannon	Turner
Clark	Givhan	Oden	Vacca
Cooper	Jackson		

—25

Nays:

—0

The Bill:

H. 20. Relating to Blount County: Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	McCarley	Radney
Adams	Gilmore	McDermott	Skidmore
Albea	Givhan	Morrow	Stone
Bailes	Goodwyn	Nabors	Torbert
Carr	Harris	O'Bannon	Turner
Clark	Hawkins	Oden	Vacca
Cooper	Jackson		

—25

Nays:

—0

The Bill:

H. 21. Relating to Blount County: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Stone
Bailes	Giles	Nabors	Torbert
Branyon	Harris	O'Bannon	Turner
Carr	Hawkins	Oden	Vacca
Cooper	Jackson		

—25

Nays:

—0

The Bill:

H. 22. Relating to Blount County, authorizing and directing the governing body of said county to provide for the appointment by the Sheriff of a Deputy Sheriff in addition to all other Deputies provided by law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Leonard	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Vacca	
Childs	Goodwyn			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Shumate:

H. J. R. 21. WHEREAS, It has been called to the attention of this Body that recently there has been a controversy concerning certain textbooks which have been considered for possible use in the schools of Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That

1. We reaffirm the principles of academic freedom which alone foster the spirit of individual inquiry and the growth of the human mind in our system of public education which is the seed-bed of our democratic way of life.

2. We acknowledge the responsibility of the system of universal education in our democracy to be responsive, however, to the demands of the public which supports it.

3. We have deep confidence in the Alabama Superintendent of Education, the Alabama Board of Education, the Alabama State Text-book Committee, and others in positions of authority in the public schools of Alabama, and request that they not knowingly promote, sponsor, or allow the teaching of any matter in the public schools of this State which would demean the nature of mankind as the children of God; which would confuse mere unproven scientific theory with well-tested scientific fact, which would tend to destroy the democratic values which have made our nation great, or which would attack the sacred nature of individual human personality.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 21, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 76. To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Adams	Folsom	McCarley	Radney	
Albea	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25

Nays:

—0

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, the first of which was the Bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

as amended.

Mr. Radney offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

In Section 2, line 13, add after the word "manuscripts," the word "books,"

Which was adopted.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Dominick	Leonard	Pelham	
Albea	Engel	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Nabors	Vacca	
Cooper	Hawkins	O'Bannon		—30

Nay: Mr. Adams

—1

Mr. Bailes offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

Section 2 of Senate Bill 23 is hereby amended by striking out the words "to the purchase of Insurance".

On motion of Mr. Goodwyn, said amendment was laid on the table.

Mr. Nabors offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

Amend Sec 9 by striking the third sentence therefrom.

On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 21; Nays 13.

Yeas:

Messrs.:	Folsom	Lindsey	Radney
Adams	Giles	Lolley	Skidmore
Branyon	Gilmore	Nabors	Stone
Clark	Givhan	Oden	Torbert
Cooper	Goodwyn	Pelham	Turner
Engel	Leonard		

—21

Nays:

Messrs.:	Childs	McCarley	O'Bannon
Albea	Dominick	McDermott	Pierce
Bailes	Harris	Morrow	Vacca
Carr	Hawkins		

—13

Mr. Harris offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

In Section 12 of the bill, add at the end thereof the following sentence:

"The provisions of this act shall not apply to purchasing by Counties, Cities and Towns, or any instrumentality thereof or institution therein, whose purchasing procedures are regulated by local or special laws enacted prior to October 1, 1967, if such local or special laws substantially conform to the provisions of this act, provided, however, that it shall be conclusively presumed that such local or special laws do substantially conform to the provisions of this Act unless prior to January 1, 1968, some action has been commenced in a court of competent jurisdiction seeking a declaration that such local or special laws do not substantially conform to the provisions of this Act."

On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 20; Nays 14.

Yeas:

Messrs.:	Folsom	Leonard	Radney
Albea	Giles	Lindsey	Skidmore
Branyon	Givhan	Lolley	Stone
Clark	Goodwyn	Oden	Torbert
Cooper	Jackson	Pelham	Turner
Engel			

—20

Nays:

Messrs.:	Dominick	McCarley	O'Bannon
Adams	Gilmore	McDermott	Pierce
Bailes	Harris	Morrow	Vacca
Childs	Hawkins	Nabors	

—14

RESOLUTIONS

Mr. Lolley offered the following Senate Resolution, to-wit:

S. R. 25. BE IT RESOLVED BY THE SENATE OF ALABAMA that when it adjourns today, Wednesday, March 22, it adjourn to meet again at 12:01 A. M. on Thursday, March 23, 1967.

Which was read and referred to the Standing Committee on Rules.

Messrs. Lindsey and Stone offered the following Senate Joint Resolution, to-wit:

S. J. R. 26. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we note with profound regret the untimely death of J. Ben Steed, native of Cherokee County and outstanding civic and business leader, whose death has brought sorrow to his family and to his many friends, not only in Butler and Centre, Alabama, but over the state as well; and

WHEREAS, J. Ben Steed was prominent all of his life in banking circles, serving as Vice President of the Farmers and Merchants Bank in Centre and, more recently, as President of the First National Bank of Butler, Butler, Alabama. He was awarded the honor of Jaycee Young Man of the Year while in Centre and served as past Commander of the American Legion; was active in other business and social activities. His passing is deeply mourned and the sincere sympathy of the members of the Legislature is extended to his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the family of J. Ben Steed.

On motion of Mr. Lindsey, the Rules were suspended and the Resolution was adopted by the Senate.

BILL RECALLED AND RE-REFERRED

On motion of Mr. Skidmore, unanimous consent was given for the Bill, H. B. 71, to be recalled from the Standing Committee on Judiciary.

Mr. Skidmore then moved that said Bill, H. B. 71, be re-referred to the Standing Committee on Local Legislation No. 1, which motion was adopted, and said Bill, H. B. 71, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF S. B. 23

The Senate proceeded to further consideration of the Bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and

county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

as amended.

Mr. Harris then offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

Amend Section 2 of Senate Bill 23 by deleting in line 18 the period following the word "bidding" and adding the following: "To purchases or contracts for the purpose of making repairs to or replacement of parts of machinery or equipment or facilities under the supervision and control of the awarding authority when, in the opinion of the awarding authority such purchases or contracts are impractical of award by competitive bidding due to the exigencies of time or interference with the orderly function of the duties and responsibilities of the awarding authority."

MOTION IN WRITING

Mr. Bailes offered the following Motion in Writing:

"Motion in Writing"

"I move that S. B. 23 and the pending amendment be carried over one legislative day without losing its place on the Calendar."

On motion of Mr. Cooper, said Motion in Writing was laid on the table.

Yeas 22; Nays 11.

Yeas:

Messrs.:	Engel	Lindsey	Radney
Adams	Folsom	Lolley	Skidmore
Albea	Giles	McCarley	Stone
Branyon	Givhan	Oden	Torbert
Clark	Goodwyn	Pelham	Turner
Cooper	Leonard	Pierce	
			—22

Nays:

Messrs.:	Dominick	Hawkins	Nabors
Bailes	Gilmore	McDermott	O'Bannon
Childs	Harris	Morrow	Vacca
			—11

FURTHER CONSIDERATION OF S. B. 23

The Senate proceeded to further consideration of the Bill, S. B. 23, as amended. The question was on the amendment offered by Mr. Harris.

On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 17; Nays 15.

Yeas:

Messrs.:	Cooper	Leonard	Pelham
Adams	Folsom	Lindsey	Stone
Albea	Giles	Lolley	Torbert
Branyon	Givhan	Oden	Turner
Clark	Goodwyn		
			—17

Nays:

Messrs.:	Gilmore	McDermott	Pierce
Bailes	Harris	Morrow	Radney
Childs	Hawkins	Nabors	Skidmore
Dominick	McCarley	O'Bannon	Vacca

—15

Mr. Harris offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

Amend Section 9 of S. B. 23 by deleting in line 5 the period following the word "delivery" and adding the following: ", the need for continuing service of equipment to be purchased and the reputation and apparent ability of the prospective supplier to furnish such continuing service."

On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 21; Nays 9.

Yeas:

Messrs.:	Folsom	Leonard	Oden
Albea	Giles	Lindsey	Pelham
Branyon	Givhan	Lolley	Radney
Cooper	Goodwyn	McDermott	Stone
Dominick	Hawkins	O'Bannon	Torbert
Engel	Jackson		

—21

Nays:

Messrs.:	Gilmore	Morrow	Skidmore
Bailes	Harris	Pierce	Vacca
Childs	McCarley		

—9

Mr. Harris then offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

Amend Section 3 of S. B. 23 by deleting in line 8 the word "of" where such appears between the words "contract" and "any", and substituting therefor the word "for"; further, amend Section 3 of S. B. 23 by deleting in line 10 the period following the word "services" and adding the following: "to the awarding authority of which such person is a member."

On motion of Mr. Goodwyn, said amendment was laid on the table.

Yeas 25; Nays 6.

Yeas:

Messrs.:	Giles	Lolley	Pierce
Albea	Givhan	McCarley	Radney
Branyon	Goodwyn	McDermott	Skidmore
Cooper	Hawkins	O'Bannon	Stone
Dominick	Jackson	Oden	Torbert
Engel	Leonard	Pelham	Turner
Folsom	Lindsey		

—25

Nays:

Messrs.:	Childs	Harris	Nabors
Bailes	Gilmore	Morrow	

—6

Mr. McDermott offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

Add the following sentence at the end of Section 4: "Whoever knowingly participates in a collusive agreement in violation of this section shall be guilty of a felony and upon conviction shall be imprisoned for not less than one nor more than five years, and may be fined not less than \$1,000.00."

Which was adopted.

Yeas 27; Nays 6.

Yeas:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Gilmore	McCarley	Radney
Branyon	Givhan	McDermott	Stone
Childs	Harris	Morrow	Turner
Cooper	Hawkins	Nabors	Vacca

—27

Nays:

Messrs.:	Goodwyn	O'Bannon	Torbert
Giles	Lolley	Skidmore	

—6

Mr. McDermott then offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

Strike out Section 14 and insert in lieu thereof the following:

"Section 14. This act shall become effective on the first day of the second month next following its passage and approval by the Governor or its otherwise becoming a law."

Which was adopted.

Yeas 31; Nay 1.

Yeas:

Messrs.:	Engel	Jackson	Pelham
Adams	Folsom	Leonard	Pierce
Albea	Giles	Lindsey	Radney
Bailes	Gilmore	McCarley	Skidmore
Branyon	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Cooper	Harris	Nabors	Turner
Dominick	Hawkins	O'Bannon	Vacca

—31

Nay: Mr. Lolley

—1

Mr. Turner offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

Amend S. B. 23 by amending the title to read as follows:

To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or

work, or for the purchase of materials, equipment, supplies, or other personal property, or the sales of bonds and other interest bearing securities made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state.

Further amend S. B. 23 by inserting between Sections 11 and Section 12, Section 11A which will read as follows:

Section 11A. Each series of bonds, interest-bearing warrants, interest-bearing certificates of indebtedness or other interest-bearing securities issued by and evidencing indebtedness of any of the governmental or other bodies listed in section 1 of this act shall be sold at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the governmental or other body issuing such securities for the bonds, warrants, certificates of indebtedness or other securities being sold computed from the date of those securities at the time being sold to their respective maturities; provided, that if no bid acceptable to the governmental or other body selling the securities is received it may reject all bids.

Notice of each sale made by any governmental body or any instrumentality of any such governmental body, listed in Section 1 hereof, shall be given by publication in either a financial journal or a financial newspaper publishes in the City of New York, New York, and also by publication in this state. In the case of a sale by a county or an instrumentality of a county such publication in this state shall be made in a newspaper published at least once each calendar week in such county if such a newspaper is published in the county, and if no such newspaper is published therein then in a newspaper published in Alabama at least once each calendar week and of general circulation in such county. In the case of a sale by a municipality or an instrumentality of a municipality such publication in this state shall be made in a newspaper published at least once each calendar week in such municipality, or if no such newspaper is published in the municipality then in a newspaper published at least once each calendar week in the county in which such municipality is situated, and if no such newspaper is published in such county then in a newspaper published in Alabama at least once each calendar week and of general circulation in such municipality. In the case of a sale by any other political subdivision of the state if such subdivision is composed of territory lying in more than one county then the notice published in this state shall be published in a newspaper, customarily published not less than six days each calendar week in Alabama and of general circulation in the territory composing the subdivision; and if the subdivision is composed of territory lying entirely within one county, then the notice shall be published in the same manner prescribed above for publishing notices of sales by the county.

Each notice hereinabove required must be published at least one time not less than ten days prior to the date fixed for the sale.

Except as in this act provided the terms and conditions under which each such sale may be held shall be fixed in the manner prescribed by law for the sales of such securities respectively.

On motion of Mr. Morrow, said amendment was laid on the table.

Yeas 23; Nays 8.

Yeas:

Messrs.:	Childs	Folsom	Hawkins
Albea	Clark	Gilmore	Leonard
Bailes	Dominick	Harris	Lindsey

McCarley	O'Bannon	Pierce	Stone
McDermott	Oden	Radney	Torbert
Morrow	Pelham	Skidmore	Vacca
—23			

Nays:

Messrs.:	Giles	Goodwyn	Lolley
Cooper	Givhan	Jackson	Turner
Engel			
—8			

Mr. Goodwyn offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

Amend Section 9 of Senate Bill 23, Line 13 following the word "vendor," by adding the following:

who participated in the bidding,

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham
Adams	Giles	Lindsey	Pierce
Albea	Gilmore	Lolley	Radney
Bailes	Givhan	McCarley	Skidmore
Branyon	Goodwyn	McDermott	Stone
Childs	Harris	Morrow	Torbert
Clark	Hawkins	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick			
—32			

Nays: —0

Mr. Bailes offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

Amendment to S. B. 23

Amend Section 14 so that said Section 14 shall read as follows:

"Section 14. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law and upon said act being ratified by a majority of the voters voting at the next state wide general election."

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Engel	Leonard	Pelham
Adams	Folsom	Lindsey	Pierce
Albea	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Goodwyn	McDermott	Stone
Clark	Harris	Nabors	Torbert
Cooper	Hawkins	O'Bannon	Turner
Dominick	Jackson	Oden	
—30			

Nays: Messrs.: Bailes, Childs —2

Mr. Harris offered the following amendment to the Bill, S. B. 23, as amended, to-wit:

AMENDMENT TO S. B. 23

Amend Section 1 of S. B. 23 by deleting the period at the end thereof and adding the following: "; provided, however, that in the event a bid is received for the service or item to be purchased or contracted for from a person, firm or corporation, deemed to be a responsible bidder, having a place of business within the county, where the awarding authority is the county or an instrumentality thereof, or within the municipality, where the municipality or an instrumentality thereof is the awarding authority, which such bid is no more than 3% greater than the bid of the lowest responsible bidder, the awarding authority may award the contract to such resident responsible bidder."

Which was adopted.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Cooper	Hawkins	Pelham	
Adams	Dominick	Jackson	Pierce	
Albea	Folsom	Leonard	Skidmore	
Bailes	Giles	Lolley	Stone	
Branyon	Gilmore	McCarley	Torbert	
Carr	Givhan	Nabors	Turner	
Childs	Goodwyn	O'Bannon	Vacca	
Clark	Harris	Oden		—30

Nays: Messrs.: Lindsey, McDermott —2

And said Bill, S. B. 23, as thus amended, was then read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
				—35

Nays: —0

ADJOURNMENT

At 4:31 P. M., on motion of Mr. Pelham, in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Thursday, March 23, 1967, at 10 o'clock A. M.

TWELFTH LEGISLATIVE DAY

THURSDAY, MARCH 23, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend J. Wayte Fulton, D. D., Minister, Shenandoah Presbyterian Church, Miami, Florida.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	O'Bannon	

—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eleventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Eleventh Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Skidmore for today.

REPORTS OF COMMITTEES

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Nabors:

S. 92. To change the time of meeting of the legislature in regular sessions; amending Code of Alabama Title 32, Section 4.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore:

S. 78. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

By Mr. Clark:

S. 99. To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

By Mr. Young (with notice and proof):

H. 62. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

By Messrs. Culver, Bank, Thomas and Brown:

H. 71. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

LELAND CHILDS,
Chairman.

RESOLUTION

Mr. Giles offered the following Senate Joint Resolution, to-wit:

S. J. R. 27. WHEREAS, the City of Huntsville Board of Education wishes to honor one of its present members, Mr. Milton Frank, who has

served his community unselfishly and in many ways over the years of his residence in the City; and

WHEREAS, Mr. Frank has served the Huntsville City School System faithfully as coach, teacher, and board member, and has promoted the highest caliber of athletics, physical fitness and good sportsmanship throughout the Huntsville schools, as well as in the community as a whole; and

WHEREAS the present football stadium used by the Huntsville City High Schools, which exists largely because of Mr. Frank's efforts, has never been properly and suitably named to reflect its community-wide character; and

WHEREAS, the Huntsville City Board of Education, wanting to name the aforesaid stadium in honor of Mr. Frank, has requested legislative authority for such action; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the football stadium used by Huntsville City High Schools shall be named, designated and known as the Milton Frank Stadium, and the Huntsville City Board of Education may erect at the stadium appropriate signs, plaques, and markers indicating its official name.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor, or as otherwise provided by Article 5, Section 125 of the Constitution of Alabama.

On motion of Mr. Giles, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 91. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Albea	Engel	Lindsey	Pierce
Branyon	Folsom	Lolley	Radney
Carr	Giles	McCarley	Stone
Childs	Gilmore	McDermott	Torbert
Clark	Givhan	Morrow	Turner
Cooper	Goodwyn		

—25

Nays:

—0

The Bill:

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, to-wit:

Amendment to H. B. 114

Strike out section 1 of the bill and insert the following in lieu thereof:

Section 1. All school lunchroom managers, assistants and workers who are employed by any county or city board of education in the operation or management of a lunchroom in any public school in Walker County shall each be paid not less than seven dollars (\$7) per day or part of each day actually engaged in the performance of their duties.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Adams	Gilmore	Lindsey	Pierce	
Albea	Givhan	Morrow	Radney	
Bailes	Goodwyn	Nabors	Stone	
Clark	Harris	O'Bannon	Torbert	
Cooper	Hawkins	Oden	Turner	
Dominick	Jackson			—25

Nays:

—0

And said Bill, H. B. 114, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Adams	Gilmore	Lindsey	Pierce	
Albea	Givhan	Morrow	Radney	
Bailes	Goodwyn	Nabors	Stone	
Clark	Harris	O'Bannon	Torbert	
Cooper	Hawkins	Oden	Turner	
Dominick	Jackson			—25

Nays:

—0

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 14. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method

of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Mr. Torbert offered the following substitute for the Bill, to-wit:

Substitute for S. B. 14

A BILL
TO BE ENTITLED
AN ACT

To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Authorization to Issue Additional Bonds. Alabama Highway Authority ("the corporation"), which was heretofore incorporated pursuant to the provisions of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama ("the 1955 Act"), shall have the power, and is hereby authorized and empowered, to sell and issue its

bonds not exceeding \$160,000,000 in aggregate principal amount, and to refund all or any thereof by the issuance of refunding bonds (all such bonds, including refunding bonds, being herein collectively referred to as "the bonds"). The powers conferred on the corporation by this act are in addition to all powers heretofore conferred on the corporation by the 1955 Act, by Act No. 45 adopted at the First Special Session of 1959 of the Legislature of Alabama ("the 1959 Act") and by Act No. 26 adopted at the First Special Session of 1963 of the Legislature of Alabama ("the 1963 Act"), or any of them.

Section 2. Details Respecting the Bonds. The bonds, which may be issued in one or more series, shall be in such forms and denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidenced in such manner, and may contain other provisions not inconsistent with this act, all as may be provided in the resolution or resolutions of the board of directors of the corporation wherein the bonds are authorized to be issued; provided, that none of the bonds shall have a specified maturity date later than twenty years after its date. The corporation may at its election retain in the resolution or resolutions under which any of the bonds are issued an option to redeem all or any thereof and at such redemption price or prices and after such notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and as may be briefly recited in the face of the bonds with respect to which such option of redemption is retained. With respect to those of the bonds having stated maturities more than ten years after the date thereof, the corporation shall retain in the resolution or resolutions authorizing their issuance an option to redeem, at the expiration of the tenth year following the date thereof and on any interest payment date thereafter, all or any of the bonds having stated maturities after the expiration of the tenth year following their date, at such redemption price or prices and after such redemption notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and briefly recited in the face of the bonds.

Section 3. Execution of the Bonds. The bonds shall be signed by the president of the corporation and attested by its secretary, and all interest coupons applicable to the bonds shall be signed by the president of the corporation; provided, that a facsimile of the signature of one, but not of both, of said officers may be printed or otherwise reproduced on any of the bonds in lieu of their being manually signed, and a facsimile of the president's signature may be printed or otherwise reproduced on any of the interest coupons in lieu of their being manually signed. The seal of the corporation shall be impressed on the bonds, provided that a facsimile of said seal may be printed or otherwise reproduced on any of the bonds in lieu of being manually impressed thereon.

Section 4. Sale of the Bonds. Each series of the bonds shall be sold at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the corporation for the bonds being sold, computed from the date of those at the time being sold to their respective maturities; provided, that if no bid acceptable to the corporation is received it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the state which is customarily published not less often than six days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The board of directors may fix the terms and conditions under which each such sale may be held; provided, that none of the bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this act. Approval by the Gov-

error of Alabama of the terms and conditions under which any of the bonds may be issued shall be requisite to their validity. Such approval shall be entered on the minutes of the respective meetings of the board of directors at which the bonds proposed to be issued are authorized, and shall be signed by the Governor. The approval by the Governor may be shown on the bonds by the signature of the Governor imprinted or otherwise reproduced thereon if the said approval signed by the Governor and entered on the said minutes shall authorize the said approval to be so shown on the bonds. Neither a public hearing nor consent by the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the bonds.

Section 5. Bonds to be Limited Obligations; Pledge Therefor. The bonds shall not be general obligations of the corporation but shall be payable solely out of the funds appropriated and pledged therefor in Section 9 of this act. As security for the payment of the principal of and interest on the bonds issued by it under this act, the corporation is hereby authorized and empowered to pledge for payment of the said principal and interest the funds that are appropriated and pledged in Section 9 of this act for payment of the said principal and interest. All such pledges made by the corporation shall take precedence in the order of the adoption of the resolutions containing such pledges. All contracts made and all bonds issued by the corporation pursuant to the provisions of this act shall be solely and exclusively obligations of the corporation and shall not be an obligation or debt of the state. The bonds shall be construed to be negotiable instruments although payable solely from a specified source as herein provided.

Section 6. Bonds and Income Thereon Exempt From Taxation; Bonds May be Used to Secure Deposits and for Investment of Fiduciary Funds. The bonds and the income therefrom shall be exempt from all taxation in the state. Any of the bonds may be used by the holder thereof as security for the deposit of any funds belonging to the state or to any instrumentality or agency of the state in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in any of the bonds.

Section 7. Refunding Bonds. Subject to the provisions contained in this act, the corporation may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the corporation issued under this act and then outstanding, together with any premium that may be necessary to be paid in order to redeem or retire the bonds proposed to be refunded. The limitation provided for in Section 1 of this act on the amount of bonds authorized in this act shall not apply to the said refunding bonds.

Section 8. Use of Proceeds of Bonds. The corporation shall pay out of the proceeds from the sale of any of the bonds all expenses which the said board of directors may deem necessary or advantageous in connection with the sale and issuance of the bonds. The proceeds of the bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the state treasury, shall be carried in the public road and bridge fund, and shall be subject to be drawn on by the corporation, upon the approval of the highway department and the Governor, but only for the purpose of paying costs of construction, reconstruction and improvement of public highways and bridges in the state (including the acquisition of property necessary for such construction, reconstruction and improvement); provided, however, that if such action should be necessary in order to comply with any federal legislation re-

lating to federal aid in highway and bridge construction, the corporation may authorize the highway department to expend directly any portion of the proceeds of the bonds for payment of the state's share of the cost of any such work. The proceeds from the sale of all refunding bonds issued by the corporation under this act remaining after paying the expenses of their issuance shall be turned into the state treasury and used only for the purpose of refunding the principal of bonds of the corporation theretofore issued under this act and then outstanding and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded. The provisions of the 1955 act with respect to highway and bridge construction, the letting and approval of contracts therefor, the supervision of construction work, the making of rules and regulations for protection of public ways and of the traveling public shall apply to the highways and bridges constructed and reconstructed with proceeds from the bonds; provided, however, that the said provisions shall so apply only to the extent that they are not in conflict with any federal legislation, regulation, or requirement relating to federal aid in highway and bridge construction.

Section 9. Appropriation of Revenues to the Corporation; Pledge Thereof for the Benefit of the Bonds. For the purpose of providing funds to enable the corporation to pay at their respective maturities the principal of and interest on the bonds that may be issued by it under the provisions of this act and to accomplish the purposes and objects of its creation, there hereby is irrevocably pledged to said purpose and appropriated so much as may be necessary for said purpose of the following:

(A) So much as may be necessary for such purpose of that portion of the proceeds from the motor vehicle licenses and registration fees that is provided to be distributed to the State of Alabama (herein called "the state") pursuant to the provisions of subsections (a), (b), (c), and (d) of Section 713 of this title; and

(B) To such extent and to such extent only as the revenues appropriated under the foregoing subsection (A) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds, so much as may be necessary for such purpose [when added to the amounts appropriated in the said subsection (A)] of that portion of the highway gasoline tax net proceeds that is referred to in subsection (a) of Section 657 of Title 51 of the Code of Alabama of 1940, as amended, after there shall have been taken therefrom the amounts necessary for the purposes specified in clauses (1) and (2) of subsection (a) of the said Section 657, as amended.

All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and the interest on the bonds. As security for the payment of the principal of and interest on the bonds issued under this act, the corporation is authorized to pledge the proceeds of the appropriation and pledge herein provided for. The term "highway gasoline tax net proceeds," wherever used in this act, shall be deemed to have the meaning given that term as defined in the said Section 657, as amended.

Section 10. Required Coverage. No series of the bonds shall be issued at any time if the aggregate amount of principal and interest maturing with respect to that series of the bonds during any fiscal year of the state, when added to the total principal and interest maturing during the same fiscal year on (a) those bonds of the corporation then outstanding that were issued under this act, and (b) those bonds heretofore issued by Alabama Highway Finance Corporation, a public corporation created under Act No. 228 adopted at the 1965 Regular Session of the Legislature of Alabama, would exceed fifty per centum (50%) of the sum of the following: (1) an amount equal to that portion of the highway gasoline tax

net proceeds referred to in subsection (a) of Section 657 of Title 51 of the Code of Alabama of 1940, as amended, collected by the state during the fiscal year next preceding the fiscal year during which the said proposed bonds are to be issued, less the total amount required to be set aside during each fiscal year pursuant to clause (1) of the said subsection (a), and (2) whichever of the following shall be applicable (i) if the said proposed bonds are to be issued after October 1, 1968, an amount equal to that portion of the motor vehicle license taxes and registration fees required to be distributed to the state pursuant to subsections (a), (b), (c), and (d) of Section 713 of the said Title 51, as amended, that were collected during the fiscal year next preceding the fiscal year during which the said proposed bonds are to be issued, or (ii) if the said proposed bonds are to be issued prior to October 1, 1968, the sum that would have been distributed to the state pursuant to the said subsections (a), (b), (c), and (d) of Section 713, as amended, during the fiscal year next preceding the fiscal year during which the said proposed bonds are to be issued, if the said subsections (a), (b), (c), and (d) of the said Section 713, as amended, had been in effect throughout the said then preceding fiscal year and if the rates for motor vehicle licenses and registration fees that will become effective October 1, 1967, had been in effect throughout the said then preceding fiscal year. The amount of the highway gasoline tax net proceeds and the amounts referred to in the foregoing clause (2) of this section shall be conclusively established by a certificate of the Commissioner of Revenue of the state.

Section 11. State Treasurer to Disburse Funds. Out of the revenues appropriated and pledged in Section 9 of this act, the State Treasurer is authorized and directed to pay the principal of and interest on the bonds at the respective maturities of said principal and interest, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 12. Severability Clause. In the event any section, sentence, clause or provision of this act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this act, which shall continue effective.

Section 13. Effective Date. This act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

Mr. Morrow moved that further consideration of the Bill, S. B. 14, and pending substitute, be postponed until the next Legislative Day. Mr. Cooper moved that the motion to postpone be laid on the table, which resulted in a tie vote.

Yeas 17; Nays 17.

Yeas:

Messrs.:	Cooper	Leonard	Oden
Adams	Folsom	Lindsey	Radney
Branyon	Giles	Lolley	Stone
Carr	Givhan	McCarley	Torbert
Clark	Jackson		

—17

Nays:

Messrs.:	Engel	McDermott	Pelham
Albea	Gilmore	Morrow	Pierce
Bailes	Goodwyn	Nabors	Turner
Childs	Harris	O'Bannon	Vacca
Dominick	Hawkins		

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The President and Presiding Officer of the Senate voted "Aye"; therefore, the motion to table prevailed.

MOTION TO ADJOURN LOST

At 11:05 A. M., Mr. Hawkins moved that the Senate adjourn until Tuesday, March 28, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Childs	Harris	O'Bannon	
Adams	Dominick	Hawkins	Pelham	
Albea	Engel	McDermott	Pierce	
Bailes	Gilmore	Morrow	Vacca	—15

Nays:

Messrs.:	Folsom	Lindsey	Radney	
Branyon	Giles	Lolley	Stone	
Carr	Givhan	McCarley	Torbert	
Clark	Jackson	Nabors	Turner	
Cooper	Leonard	Oden		—18

FURTHER CONSIDERATION OF S. B. 14

The Senate proceeded to further consideration of the Bill, S. B. 14. The question was on the substitute offered by Mr. Torbert.

ADJOURNMENT

At 12:05 P. M., on motion of Mr. Radney, pending further consideration of the Bill, S. B. 14, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, March 28, 1967, at 2 o'clock P. M.

Yeas 26; Nays 7.

Yeas:

Messrs.:	Giles	Lindsey	Pierce	
Adams	Gilmore	Lolley	Radney	
Albea	Givhan	McDermott	Stone	
Bailes	Harris	Morrow	Torbert	
Childs	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Engel	Leonard	Pelham		—26

Nays:

Messrs.:	Carr	Dominick	McCarley	
Branyon	Clark	Folsom	Nabors	—7

FOURTEENTH LEGISLATIVE DAY

TUESDAY, MARCH 28, 1967

(The Senate was not in Session on the Thirteenth Legislative Day.)

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Albert T. Mollegen, Professor, Virginia Theological Seminary, Alexandria, Virginia.

ROLL CALL

Present:

Messrs.:	Folsom	Lindsey	Pelham
Adams	Giles	Lolley	Pierce
Albea	Gilmore	McCarley	Radney
Branyon	Givhan	McDermott	Skidmore
Carr	Goodwyn	Morrow	Stone
Childs	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick	Leonard		

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twelfth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twelfth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Bailes and Engel for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Radney:

S. 104. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, and administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 17, Feb. 24, March 3, and March 10, all in the year 1967.

W. C. WEAR, JR.

Sworn to and subscribed before me March 10, 1967.

DOROTHY W. MITCHELL,
Notary Public.

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. Clay Pless, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Dadeville Record, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 23, March 2, March 9, and March 16, all in the year 1967.

H. CLAY PLESS.

Sworn to and subscribed before me March 16, 1967.

GEORGE H. FISHER,
Notary Public.

LEGAL NOTICE

State of Alabama, County of Macon. Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, and administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared James Abrams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Managing Editor of the The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 23, March 2, March 9, and March 16, all in the year 1967.

JAMES ABRAMS,
Managing Editor.

Sworn to and subscribed before me March 16, 1967.

MARY P. BAZZEL,
Notary Public.

My commission expires, August, 1968.

NOTICE OF LOCAL BILL

STATE OF ALABAMA
COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, and administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 22, Mar. 1, Mar. 8, and Mar. 15, all in the year 1967.

BONNIE HAND.

Sworn to and subscribed before me March 16, 1967.

PEARL H. HAND,
Notary Public.

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA, COUNTY OF RANDOLPH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Any stenographic secretary of the District Attorney of the Fifth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of the counties comprising the Fifth Judicial Circuit, prepare indictments and documents arising therefrom, and administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 16, Feb. 23, March 2, and March 9, all in the year 1967.

R. T. BAILEY.

Sworn to and subscribed before me March 11, 1967.

GROVER L. POOLE,
Circuit Clerk.

By Mr. Turner:

S. 105. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political subdivisions and the instrumentalities of the state and the political subdivisions thereof: Requiring such securities to be sold at public sale and regulating publication of the notices of such sales.

Committee on Finance and Taxation.

By Mr. Adams:

S. 106. To amend further Code of Alabama Title 17, Section 272, relating to permissible political campaign expenditures.

Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 38. Relating to Dale County; providing for the time of closing county offices.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 26. Relative to the death of J. Ben Steed, native of Cherokee County.

Also:

S. J. R. 23. Relative to Benny Marshall, editor of the Birmingham News.

Also:

S. J. R. 13. Relative to interim committee to study the federal Highway Safety Act of 1966.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 51. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That Her Excellency, Governor Lurleen B. Wallace, be and she hereby is cordially invited to address a joint session of the two houses of the legislature in the hall of the House of Representatives at 7:30 p. m. on Thursday, March 30.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 51, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cook (Coffee):

Naming a building at Enterprise Junior College

H. J. R. 52. WHEREAS the Enterprise Chamber of Commerce Junior College Committee has unanimously voted to recommend that the new gymnasium at Enterprise Junior College be named to honor a distinguished member of this body; and

WHEREAS the governing authority of that institution is unable to act on such recommendation without legislative authority; be it

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the building constructed as a gymnasium for Enterprise Junior College shall be named, designated and known as the "Ray Lolley Gymnasium" in honor of Senator Ray Lolley, who has contributed so greatly to this fine state institution of learning.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Rules were suspended and the Resolution, H. J. R. 52, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Wright:

H. J. R. 53. WHEREAS, Dr. J. O. Finney of Gadsden, Etowah County, Alabama, distinguished physician and citizen, has through his years of practice brought great honor to his profession, his community and his state; and

WHEREAS, Dr. Finney has dedicated his life to healing the sick, serving his profession through teaching, consultation and providing leadership in many of its organizations; and

WHEREAS, Dr. Finney has served in many positions of leadership and responsibility in State, community and National Medical Associations and organizations, a few of which are; Professor of Clinical Medicine, University of Alabama Medical College, Consultant in Internal Medicine, Veterans Administration Hospital, Birmingham, President of Alabama Heart Association, President, Alabama Society of Internal Medicine, President, Etowah County Medical Association, President, Etowah County Mental Health Association, President, Vanderbilt University Medical Alumni Association, Member of State of Alabama Board of Health, Member of Alabama State Board of Medical Censors for thirteen years, Trustee of Snead College, Boaz, Alabama, Head of Department of Medicine, Holy Name of Jesus Hospital, Gadsden, Alabama, Diplomate of the American Board of Internal Medicine, Fellow of the American College of Physicians, and Lt. Colonel, United States Army Medical Corps; and

WHEREAS, in recognition of his outstanding contribution and service to his profession, his fellow physicians in 1966 elected Dr. Finney and he is presently serving as President of the Alabama Medical Association, and

WHEREAS, in addition to his outstanding service to humanity and his profession, Dr. Finney has contributed to and been active in his church and community affairs, and

WHEREAS, Dr. Finney, though widely recognized and acclaimed, has remained modest and gracious and is deeply respected and loved by all those who know him and have been associated with him; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, that we express our most sincere appreciation to Dr. J. O. Finney of Gadsden, Alabama, for his dedicated and outstanding service to humanity and the medical profession of Alabama and the United States.

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to Dr. J. O. Finney and to the offices of the Alabama Medical Association and the American Medical Association.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nabors, the Rules were suspended and the Resolution, H. J. R. 53, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fine:

H. J. R. 54. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we lament the recent death of a distinguished Alabama citizen, former State Senator Oliver E. Young, who throughout a long and useful career had ably served our country and our state, as well as his home county and town. We particularly note here from among his many services some which have inured especially to the honor, welfare, growth or development of Alabama. Mr. Young was awarded the Silver Star Medal while serving overseas as an officer in the United States Army. He was an active member of the State and County Bar Associations and a former county solicitor. He served as Chairman of the Alabama State Oil and Gas Board, Trustee of Alabama College, Chairman of the Alabama Public Works Board and Chairman of the Alabama State Welfare Board. He had been mayor of Vernon, his home town and was a steward in the Vernon Methodist Church.

BE IT FURTHER RESOLVED, That the sincere sympathy of this body is extended to his surviving sons and daughter.

BE IT RESOLVED ALSO That a copy of this resolution be sent to each of Senator Young's sons and to his daughter.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Branyon, the Rules were suspended and the Resolution, H. J. R. 54, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Culver, Brown and Thomas:

H. J. R. 55. WHEREAS two Tuscaloosa newsmen, sports editor Charles Land of the Tuscaloosa News and Stan Siegal, sports director of radio station WTBC, have been selected Alabama's most outstanding sportswriter and sportscaster by their peers in their respective fields to represent this State in the eighth annual National Sportscasters and Sportswriters awards sweepstakes; and

WHEREAS Mr. Land, who attended the University of Alabama where he majored in journalism, has, except for a brief interval, been sports editor of the Tuscaloosa News since 1955, and has received numerous awards from the Associated Press of Alabama for his columns and writings; and

WHEREAS Mr. Siegal, who graduated in radio and television from the University of Alabama joined the staff of Tuscaloosa Radio Station WTBC in 1960 after previous experience in Birmingham and in Hattiesburg, Mississippi. In addition to being sports director, Mr. Siegal is also advertising director and general manager of the station; and

WHEREAS Mr. Land and Mr. Siegal will be honored at the annual awards meeting of the N. S. S. A. in Salisbury, North Carolina on April 3-4 at which time the top national awards winners will be named; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mr. Land and Mr. Siegal for the richly deserved recognition bestowed upon them, and commend them for the informative and interesting manner of presentation of material which each of them has sustained in his chosen profession.

RESOLVED FURTHER That copies of this resolution be sent to Mr. Land and Mr. Siegal and to the National Sportscasters and Sportswriters Association.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 55, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 22. Relative to adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Paulk:

H. J. R. 46. WHEREAS the cost of living has skyrocketed in recent years with the present price of food reaching unprecedented heights; and

WHEREAS national policy has raised food costs and will continue programs to raise the costs of producing and marketing foods; and

WHEREAS housewives must rely on self-help measures in order to bridge the gap between their limited and fixed incomes and unrealistic food prices; and

WHEREAS picketing and boycotting practices, to which some groups have resorted in various areas, are neither appropriate nor effective means of combating inflated areas; and

WHEREAS patriotic citizens planted victory gardens during World War II at the urging of the President, for the purpose of conserving national resources and combating inflation; and

WHEREAS we are currently engaged in conflict with enemies of democracy, and the planting of family gardens would again assist the economy of our nation and its individuals; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Alabamians should follow the precedent of World War II, and we earnestly urge each family in Alabama to plant a family garden this year if they have the space and means to do so.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lolley, the Rules were suspended and the Resolution, H. J. R. 46, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 47. WHEREAS, the Legislature of Alabama in Special Session assembled in 1966 enacted into law Act No. 340 which provided for a review and study of the administrative and organizational structure of the Department of Agriculture and Industries; and,

WHEREAS, the Public Administration Service was authorized to make this study which is now in progress; and,

WHEREAS, the Honorable Richard (Dick) Beard, Commissioner of Agriculture and Industries, endorsed and supported this legislation.

last year and as Commissioner he has cooperated and assisted with this survey in every way possible; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we thank and commend Commissioner Beard for his cooperation with the Public Administration Service and with the Legislature of Alabama in carrying out the aims of this legislation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 47, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McDonald:

H. J. R. 48. WHEREAS, since the Legislature of the State of Alabama last convened the United States Department of Health, Education and Welfare has issued new and different and more stringent so-called "Guidelines" seeking to further control the operation of the school systems in the State of Alabama, and

WHEREAS, the United States Commission on Civil Rights has recently submitted a report to the President of the United States which calls for the application of the so-called "Guidelines" to every school system in the country—not just in the 17 Southern and Border States, and

WHEREAS, the recommendations of the Civil Rights Commission would impose on Northern and Western communities the same conditions and restrictions which have been applied only to Southern and Border States, and

WHEREAS, the people of the State of Alabama, by their resistance to these illegal requirements and by their resistance to the continued interference with the operations of their school systems, have brought to the attention of the people all over the country the true scope and intent of the so-called "Guidelines", and

WHEREAS, there is increasing opposition throughout the United States to the theory of compulsory balancing and busing of school children, and

WHEREAS, we are reliably informed that the Congress of the United States will soon conduct public hearings on the question of the enforcement policies of the Department of Health, Education and Welfare, and

WHEREAS, we believe a congressional investigation into the practices and policies of the Department of Health, Education and Welfare concerning the school systems would be more helpful, and

WHEREAS, we believe that the Governor, the Attorney General and the State Superintendent of Education should make sure that the

thinking of the State of Alabama is given to any Congressional committee, and

WHEREAS, we believe that the people of the State of Alabama desire that the various city and county boards of education consider producing testimony before any committee of Congress set up to investigate the "Guidelines",

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Governor, the Attorney General, The State Superintendent of Education, and the various city and county boards of education are called upon to cooperate fully with any Congressional investigation seeking to show the illegal practices being engaged in by the Department of Health, Education and Welfare and to produce statements, testimony or other evidence of such practices to such committee or committees of Congress.

BE IT FURTHER RESOLVED, that the various city and county Boards of Education are called upon to cooperate in any such investigation and produce evidence of the illegal practices being carried on by the Department of Health, Education and Welfare.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Governor, Her Excellency Lurleen B. Wallace, the Attorney General, Honorable MacDonald Gallion, the Superintendent of Education, Dr. Ernest Stone, and to each city and county board of education in the State of Alabama.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each member of Congress from the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 48, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Thomas, Culver, Brown, Sessions, Starnes, Turnham, Drake, Beck and Meade:

H. J. R. 49. WHEREAS Coach Paul "Bear" Bryant has been named Citizen of The Year by the Alabama Broadcaster's Association in recognition of his tremendous contribution to the whole State of Alabama; and

WHEREAS Coach Bryant has not only brought favorable recognition to this State through his sustained and brilliant success as a football coach and builder of men, but he has been a leader in many civic and charitable endeavors including a fund raising drive to build chapels at Bryce Hospital and Partlow State School and Hospital; and

WHEREAS Coach Bryant has had a long and distinguished career in the field of athletics beginning with his outstanding plays as an end on Alabama's championship team which defeated Stanford in the 1935 Rose Bowl game and through subsequent years when he became noted

for his ability to rebuild teams into victorious units including the University of Maryland, the University of Kentucky, Texas A and M, and particularly the University of Alabama. Since his return to his alma mater his teams have won three national championships in the years 1961, 1964 and 1965 and the 1966 team was the only major team in the nation to be untied and undefeated; and

WHEREAS Coach Bryant was named Outstanding Citizen of Kentucky by the Kentucky Press Association in 1950, was named National Coach of The Year in 1961, and was elected to the Football Hall of Fame of the State of Arkansas; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Coach Paul "Bear" Bryant upon his being named Citizen of The Year, and we commend the Alabama Broadcasters Association upon their selection of so distinguished and deserving a recipient of their recognition.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Coach Bryant and a copy be sent to Dr. Frank A. Rose.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 49, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Thomas, Bank, Culver and Brown:

H. J. R. 50. WHEREAS, the Honorable Lurleen Burns Wallace is the first native Tuscaloosan to be elected Governor of the State of Alabama; and

WHEREAS, Mrs. Wallace enjoys the added distinction of being the first woman to serve as Alabama's Chief Executive Officer; and

WHEREAS, to appropriately recognize and honor our charming "First Lady", the date of Wednesday, April 19, 1967 has been set aside and proclaimed Lurleen Wallace Day in Tuscaloosa by: The Greater Tuscaloosa Chamber of Commerce, The City of Tuscaloosa, The City of Northport and The Tuscaloosa County Board of Revenue; and

WHEREAS, invitations to share Tuscaloosa's hospitality on "THE DAY" have been extended The Governor's Staff, Cabinet Members, Members of the State Legislature, Heads of State Departments, The Press, other special guests and their spouses; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to encourage the participation therein of all Alabamians who admire and respect Governor Lurleen B. Wallace.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 50, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 9. Relative to the "TECUMSEH Committee."

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 27. Relative to designating the football stadium used by Huntsville City High Schools the Milton Frank Stadium.

Also:

S. J. R. 20. Relative to congratulating the Sidney Lanier High School athletic forces.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (P) and Bolton:

H. 141. To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000.

Also:

By Mr. Pruitt:

H. 67. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 141. To the Committee on Local Legislation No. 1.

H. B. 67. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turnham and Ellis:

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 97. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 7. To amend further Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

S. 12. Relating to Tallapoosa County: To create and establish in Tallapoosa County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Tallapoosa County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Tallapoosa County; and providing for the transfer and trial of cases pending in the County Court of Tallapoosa County and in the Juvenile Court of Tallapoosa County, at the time this act takes effect, to the Court of Common Pleas of Tallapoosa County, Alabama.

Also:

S. 43. To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

Also:

S. 50. To authorize the county governing body of counties having populations of not less than 160,000 nor more than 300,000, according to the most recent federal decennial census, to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Also:

S. 51. To amend Act No. 428, H. 933, Regular Session 1961, an act creating and establishing a countywide personnel system for counties having populations of not less than 150,000 nor more than 300,000 (Acts of Alabama, Regular and Special Sessions 1961, v. 1, p. 456).

Also:

S. 53. Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193).

Also:

S. 54. To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Bank, Culver, Thomas and Brown:

H. 143. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Be It Enacted by the Legislature of Alabama:

Section 1. In the sixth judicial circuit of Alabama each judge in such circuit who excuses any person from jury service for reasonable and proper cause pursuant to Code of Alabama 1940, Title 30, Section 5, may in his discretion, direct such person so excused from jury service to serve at some later date to be determined by the court.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 14, Feb. 21, Feb. 28, and March 7, all in the year 1967.

BUFORD BOONE.

Sworn to and subscribed before me March 7, 1967.

LILLA COLLINS,
Notary Public.

Also:

By Mr. Collier:

H. 150. To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Elmore County may employ a Warden for the county jail and a cook to prepare food for county prisoners. The

compensation of such assistants of the sheriff shall be paid by the County. The compensation of the jail warden shall be not less than \$325 nor more than \$375 a month. The compensation of such assistants shall be fixed by the sheriff, subject to approval by the County governing body.

Section 2. This Act is cumulative and shall take effect immediately upon its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 2-23-67, 3-2-67, 3-9-67, and 3-16-67, all in the year 1967.

JOHN P. HARRIS,
Publisher.

Sworn to and subscribed before me 16 day of March, 1967.

LAVERNE C. JOHNSTON,
Notary Public.

Also:

By Messrs. Drake, Starnes and McDonald:

H. 161. To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 10 of Act No. 163, H. 168, approved March 30, 1965 (Act of Alabama, Special Session 1965, v. 1, p. 209), an act creating the Cullman County Intermediate Court, is hereby amended to read as follows.

"Section 10. CLERKS. (a) The Circuit Clerk of Cullman County shall be the clerk of the Cullman County Intermediate Court.

"(b) The governing body of the county shall furnish, at county expense, such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. The Clerk shall keep a seal, which shall be the official seal adopted by the court.

"(c) It shall be the duty of the clerks to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the Judge. The clerk shall keep a book in which must be entered the minutes of each day's proceedings during the sessions of the court, and the orders and judgments of the court in the order in which they are made or rendered. But the clerk shall not be required to record the proceedings after final determination of prosecutions except in such cases as he may be otherwise directed by the court.

"(d) The Clerk shall have the power and authority; (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including affidavits, summonses, subpoenas, writ, executions, commitments and releases; (3) to approve bonds in civil and criminal cases, including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; and (6) to exercise all powers and authority which are now or may be hereafter conferred on Clerks of county courts."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry F. Arnold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was EDITOR of the CULLMAN TRIBUNE, a newspaper of general circulation published in CULLMAN County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 16, Feb. 23, March 2, and March 9, all in the year 1967.

HENRY F. ARNOLD.

Sworn to and subscribed before me 10th March, 1967.

FRED W. ABT,
Notary Public.

Also:

By Messrs. Marr, Smith (C), Collins (W), Collins (C), Downing, Wood, Perloff, Edington, Hogan and Grayson:

H. 137. To apply only in Mobile County, providing for service of jury summonses by mail.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in Mobile County, providing for service of jury summonses by mail.

Be It Enacted by the Legislature of Alabama:

Section 1. In Mobile County the sheriff shall execute every order to summons jurors as provided in Section 33, Title 30, Code of Alabama 1940, or the service may be made by first class mail as follows: It shall be the duty of the sheriff of the county to enclose the summons in an envelope addressed to the person to be served and place all necessary postage and a return address thereon with notice to the postal authorities not to forward outside the county. In the event said jury summons is returned to the sheriff by the Post Office Department of the United States without delivery the summons shall be by the sheriff returned NOT FOUND. All jury summonses not returned to the sheriff by said Post Office Department shall be considered for all purposes as sufficient personal and legal service. The provisions of this section in reference to service by mail shall not apply, however, to jury summonses returnable before the court instantler; such summonses shall be served only as provided by Section 33 of Title 30, Code of Alabama 1940.

Section 2. This Act is cumulative.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Bob Sanders, being sworn, says that he is Credit Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Feb. 4, 11, 18, 25, 1967.

BOB SANDERS.

Sworn to and subscribed before me this 8 day of March 1967.

LOIS KEARLEY,
Notary Public.

My Commission expires Aug. 17, 1968

Also:

By Messrs. Marr, Hogan, Edington, Collins (C), Wood, Collins (W), Perloff and Smith (C):

H. 162. To further amend Section 1, Act No. 817, H. 298, Regular Session 1961, as amended by H. B. 52, Regular Session 1965, as approved August 26, 1965.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

Also:

By Messrs. Springer, Hobbie, McElhaney, Cameron and Harris:

H. 154. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 143, 150, 161, 137, 117 and 154. To the Committee on Local Legislation No. 1.

H. B. 162. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Marr, Collins (W), Grayson, Perloff and Downing:

H. 139. To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply for the passage of an Act altering, rearranging, and extending the boundaries of the City of Saraland, Alabama, at any Special Session of the Alabama Legislature called before the next Regular Session of the Alabama Legislature or during the next Regular Session of the Alabama Legislature, reading substantially as follows:

AN ACT

To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION 1: That the boundaries of the City of Saraland, Alabama, in Mobile County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits

of said City certain additional territory lying within the following described boundaries, to-wit:

All that tract or parcel of land lying and being in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama, and being more particularly described as follows:

BEGINNING at the Southwest corner of said Section 9, thence Northerly along the West line of said Section a distance of 2640 feet, more or less, to the northwest corner of the southwest quarter of said section, which point lies on the boundary of the existing city limits of the City of Saraland, Alabama; thence easterly along the North line of the said Southwest Quarter of said Section, which is along the boundary of said City Limits, a distance of 2640 feet, more or less, to the Northeast corner of said Southwest Quarter of said Section, said corner being a corner of said City Limits; thence Southerly along the east line of said southwest quarter section, which is along the boundary of said city limits a distance of 2640 feet, more or less, to the southeast corner of said southwest quarter section, said corner being a corner of said City Limits; thence Westerly along the South line of said Section, a distance of 2640 feet, more or less, to the point of beginning.

Containing 160 acres, more or less.

SECTION 2: That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a Law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register Jan. 30, Feb. 6, 13, 20, 1967.

E. E. KOCH.

Sworn to and subscribed before me this 20 day of Feb. 1967.

W. F. EGAN.
Notary Public.

Also:

By Messrs. Blanton and Hain:

H. 119. Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, providing for the disposition and use of such fees, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALLAS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Dallas County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama, Title 14, Section 177, shall be five dollars, which shall be collected by the sheriff and deposited in the county treasury. Four-fifths of the amount of each fee collected shall be credited to a special fund or account in the county treasury and shall be used exclusively by the sheriff for special purposes, in such amounts as may be determined by the Court of County Commissioners, Board of Revenue, or other like governing body of the County; the remaining part of each fee collected shall be credited to the General Funds of the County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the The Selma Times Journal, a newspaper of general circulation published in Selma, Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 19, Feb. 26, March 5, and March 12, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me March 13, 1967.

CORNELIA L. MOMSON,
Notary Public.

Also:

By Messrs. Beck and Meade:

H. 121. To apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties.

Also:

By Messrs. Hain and Blanton:

H. 149. Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dallas County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Dallas County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Dallas County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the The Selma Times Journal, a newspaper of general circulation published in Selma, Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 19, Feb. 26, March 5, and March 12, all in the year 1967.

HENRY H. LLOYD.

Sworn to and subscribed before me March 13, 1967.

CORNELIA L. MOMSON,
Notary Public.

Also:

By Messrs. Stembridge and Crawford:

H. 164. To provide further for the distribution of fines and forfeitures in certain cases, and to provide for the application of Title 11, Section 22, Code of Alabama, 1940, as amended, to all inferior Courts, law and equity Courts, county courts or other county courts of record in Houston County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County: To provide further for the distribution of fines and forfeitures in certain cases, and to provide for the application of Title 11, Section 22, Code of Alabama, 1940, as amended, to all inferior Courts, Law and Equity Courts, County Courts or other County Courts of record in Houston County, Alabama.

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in Courts of competent jurisdiction within Houston County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Houston County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. In addition the Clerk of the inferior Courts, Law and Equity Courts, County Courts or other County Courts of Record in Houston County, Alabama, shall collect and receive a commission of five percent on any sum of sums collected by him for the State of Alabama as is now provided for Circuit Court Clerks in Code of Alabama, 1940, Title 11, Section 22, as amended; the commissions shall be calculated upon fines, arrest fees, Court fees, witness fees paid to the County under local law, Solicitor's fees, trial tax, and law library fees; and when such commissions are collected and received by the Clerk, he shall remit them to the County.

Section 3. Should any word, phrase, clause, section or part of this act be held to be unconstitutional by any Court of competent jurisdiction, it shall not affect the remainder of this act.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice hav-

ing appeared in the issues of said paper on February 20, 27; March 6, 13, 1967.

WALLACE MILLER.

Sworn to and subscribed before me this 14 day of March, 1967.

MIRL CROSBY,
Notary Public.

Also:

By Mr. Williams:

H. 165. To authorize the governing bodies of counties having a population of not less than 36,600 and not more than 37,600 according to the 1960 Federal Census to appropriate funds from the General Fund of said counties for the purpose of employing clerical help.

Also:

By Mr. Stubbs:

H. 171. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA SHELBY COUNTY

Notice is hereby given that the following Bill in Substance will be introduced in the Legislature of Alabama, at any Special or Regular Session thereof during 1967 and application for its enactment into law will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Vincent in Shelby County are hereby altered, rearranged, and extended so as to include within the present corporate limits of the said Town of Vincent the following described territory situated in Shelby County, Alabama, to-wit: The East one-half of Section 24; the South one-half of the West one-half of Section 24; the North one-half of the West one-half of Section 25; the East one-half of Section 26; and that portion of the East one-half of Section 35 which lies North of the present corporate boundary limits of the Town of Vincent; all being situated in Township 18 South, Range 2 East, Shelby County, Alabama.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared William O. Myrick, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 2-23, 3-2, 3-9, and 3-16, all in the year 1967.

WILLIAM O. MYRICK,
by SANDRA HUGHES.

Sworn to and subscribed before me March 16, 1967.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Stubbs:

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Shelby County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940 Title 14, Section 177 shall be five dollars, which shall be collected by the Sheriff.

Section 2. Any and all monies collected under Section 1 of this act shall be deposited by the Sheriff of Shelby County, in any bank located in Shelby County, in a fund known as the Sheriff's Fund.

Section 3. The Sheriff's Fund as provided in Section 2 of this act shall be drawn upon by the Sheriff of Shelby County or his appointed agent and shall be use exclusively for law enforcement purposes and in the discharge of the Sheriff's office as he sees fit.

Section 4. The establishment of the Sheriff's Fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the Sheriff or the operation of his office.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 6. All laws and parts of laws which conflict with this act are hereby repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared William O. Myrick, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 2-23, 3-2, 3-9, and 3-16, all in the year 1967.

WILLIAM O. MYRICK,
by SANDRA HUGHES.

Sworn to and subscribed before me March 16, 1967.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Stubbs:

H. 173. To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA SHELBY COUNTY

Notice is hereby given that the following Bill in Substance will be introduced in the Legislature of Alabama, at any Special or Regular Session thereof during 1967 and application for its enactment into law will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The District Attorney of the Eighteenth Judicial Circuit, if a bona fide resident Citizen of Shelby County, Alabama, and main-

tains an office in the Shelby County Courthouse at Columbiana, Alabama, may appoint a stenographic secretary, who shall serve at his pleasure. Such stenographic secretary shall perform such duties as the District Attorney of said circuit may prescribe, and shall receive a salary at the discretion of the District Attorney of not less than \$2,400.00 and not more than \$3,000.00 per annum, to be paid in equal monthly installments out of the Shelby County Treasury in the manner prescribed by law.

Section 2. Any stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit of Alabama is hereby empowered, when so directed by the District Attorney, to attend the Grand Juries of Shelby County, one of the counties which comprise the Eighteenth Judicial Circuit; to prepare indictments, and documents arising therefrom; to transcribe witnesses' testimony heard by said Grand Juries in Shelby County, and to administer oaths in connection therewith or in any other investigations being conducted by the said District Attorney's office.

Section 3. All laws and parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared William O. Myrick, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 2-23, 3-2, 3-9, and 3-16, all in the year 1967.

WILLIAM O. MYRICK,
by SANDRA HUGHES.

Sworn to and subscribed before me March 16, 1967.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Young:

H. 174. Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

With notice and proof thereto attached and herewith exhibited as follows:

TO BE ENTITLED AN ACT

STATE OF ALABAMA COUNTY OF RANDOLPH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Randolph County may appropriate county funds not exceeding \$275 for the relief of Olin McDaniel of Route 3, Roanoke, to compensate him for property damages sustained by him as a result of a collision in January, 1967, between his motor vehicle and a motor vehicle belonging to the county and operated by a county employee. The Legislature finds and declares that the claim of the said Olin McDaniel against Randolph County is a just demand which the county is obligated to pay but has no legal authority to pay it; hence this act.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 23, March 2, March 9, and March 16, all in the year 1967.

R. T. BAILEY.

Sworn to and subscribed before me March 17, 1967.

GROVER L. POOLE,
Circuit Clerk.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 139, 119, 121, 165, 171, 172, 173 and 174. To the Committee on Local Legislation No. 1.

H. B.'s 149 and 164. To the Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McCarley, Folsom, Radney, Leonard, Clark, Lolley, Lindsey, Givhan, Vacca, Bailes, Childs, Turner, Torbert, Skidmore and Carr:

S. 41. To authorize counties and municipalities to provide for establishment and operation of non-profit ambulance services.

RESOLUTIONS

Mr. Radney offered the following Senate Joint Resolution, to-wit:

S. J. R. 28. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the library building now under construction at Alexander City State Junior College shall be known and designated as the Thomas D. Russell Library in recognition and appreciation of Mr. Russell's great dedication and untiring effort in furthering the cause of education in Alabama, and particularly in Tallapoosa County and Alexander City.

On motion of Mr. Radney, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. McCarley offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. WHEREAS, The President of the United States has appointed Harold Howe II as Commissioner of Education; and

WHEREAS, Harold Howe II has used his office to harass, intimidate and coerce local boards of education within the State of Alabama; and

WHEREAS, Harold Howe II has issued so-called guidelines which are not only illegal and transcends the law but which, if followed in the State of Alabama, would completely disrupt and destroy public education in the State of Alabama; and

WHEREAS, The said Harold Howe II has made public speeches calling for riots as occurred in the Watts area of Los Angeles to "spur action" in the school systems; and

WHEREAS, Harold Howe II has also publicly stated, "If it takes violence to change it . . . , well, that's what it takes."; and

WHEREAS, Harold Howe II not only seeks to control every school system in the State of Alabama, but plans to make attempts to control the school systems in the other parts of the country; and

WHEREAS, to allow Harold Howe II to continue as Commissioner of Education will ultimately destroy state and local control of every school system in the country; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature of Alabama does hereby condemn the activities of Harold Howe II in connection with the school systems of the State of Alabama and do hereby call upon the Congressional Delegation from the State of Alabama to use every means at their disposal to remove the said Harold Howe II from office.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each member of the Congressional Delegation from the State of Alabama and to the President of the United States.

Which was read and referred to the Standing Committee on Rules.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 30. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, March 28, they adjourn to meet again on Wednesday, March 29, and that when they adjourn on March 29, they adjourn to meet again on Thursday, March 30, and that when they adjourn on Thursday, March 30, they adjourn to meet again on Tuesday, April 4, 1967.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 99. To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pierce
Adams	Giles	McCarley	Radney
Albea	Gilmore	McDermott	Skidmore
Branyon	Givhan	Morrow	Stone
Carr	Goodwyn	Oden	Torbert
Clark	Leonard	Pelham	Turner
Dominick	Lindsey		
			—25

Nays:

—0

The Bill:

H. 62. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	McCarley	Pelham
Branyon	Gilmore	McDermott	Pierce
Carr	Givhan	Morrow	Radney
Childs	Goodwyn	Nabors	Skidmore
Clark	Harris	O'Bannon	Torbert
Cooper	Hawkins	Oden	Vacca
Dominick	Jackson		
			—25

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Skidmore, further consideration of the Bill, S. B. 78, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 71. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Adams	Giles	Lolley	Pierce	
Albea	Gilmore	Morrow	Skidmore	
Branyon	Givhan	Nabors	Torbert	
Carr	Goodwyn	O'Bannon	Turner	
Childs	Harris	Oden	Vacca	
Clark	Leonard			—25

Nays:

—0

The Bill:

S. 49. To make an additional appropriation to the use of the Farmers Market Authority for the fiscal year ending September 30, 1967.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Pierce	
Adams	Givhan	McCarley	Radney	
Albea	Goodwyn	McDermott	Skidmore	
Branyon	Harris	Morrow	Stone	
Childs	Hawkins	Nabors	Torbert	
Clark	Jackson	O'Bannon	Turner	
Cooper	Leonard	Oden	Vacca	
Giles	Lindsey			—29

Nays:

—0

The Bill:

S. 21. To authorize the governing body of any county or municipality to appropriate public funds and to use certain equipment and employees in aid of certain projects undertaken in any other contiguous county, or the home county of said governing body.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Branyon	Clark	Folsom
Adams	Carr	Cooper	Giles
Albea	Childs	Dominick	Gilmore

Goodwyn	Lindsey	O'Bannon	Stone	
Harris	Lolley	Oden	Torbert	
Hawkins	McDermott	Pelham	Turner	
Jackson	Morrow	Radney	Vacca	
Leonard	Nabors			—29

Nays: —0

The Bill:

S. 93. To amend the Code of Alabama 1940, Title 52, Section 509(1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Oden	
Adams	Folsom	Lindsey	Pelham	
Albea	Gilmore	Lolley	Pierce	
Branyon	Givhan	McCarley	Radney	
Carr	Goodwyn	McDermott	Skidmore	
Childs	Harris	Morrow	Stone	
Clark	Hawkins	Nabors	Torbert	
Cooper	Jackson	O'Bannon	Turner	—31

Nays: —0

The Bill:

S. 40. To make an additional appropriation to the Alabama State Milk Control Board.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Adams	Giles	Lolley	Pierce	
Albea	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Dominick	Jackson	Oden		—30

Nays: —0

MOTION TO RE-REFER

Mr. Turner moved that the Bill, H. B. 122, be re-referred to the Standing Committee on Finance and Taxation, which motion was adopted, and said Bill, H. B. 122, was ordered removed from the Calendar and re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 30. Relative to adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 48. Calling upon the Governor, the Attorney General, the State Superintendent of Education, and the various city and county boards of education to cooperate fully with any Congressional investigation into the activities of the Department of Health, Education and Welfare.

And said Resolution was then concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 21. Relative to the recent controversy concerning certain textbooks advocating various theories on the origin of man.

And said Resolution was then concurred in and adopted by the Senate.

Yeas 22; Nays 9.

Yeas:

Messrs.:	Cooper	Jackson	Skidmore	
Albea	Folsom	Lolley	Stone	
Branyon	Giles	McCarley	Torbert	
Carr	Gilmore	Oden	Turner	
Childs	Givhan	Pelham	Vacca	
Clark	Hawkins	Pierce		—22

Nays:

Messrs.:	Harris	Morrow	O'Bannon	
Dominick	Lindsey	Nabors	Radney	
Goodwyn	McDermott			—9

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 24. Proclaiming "Houston Cole Day in Alabama" in honor of Dr. Houston Cole, President of Jacksonville State University.

Also:

H. J. R. 23. Designating the new science building on the campus of Jacksonville State University "Martin Hall" in honor of Mr. J. Thomas Martin of Jacksonville.

Also:

H. J. R. 26. Expressing regret upon the death of Mr. John Glenn Stanley, veteran newspaper editor of Greenville, Alabama.

Also:

H. J. R. 14. Mourning the death of Mr. Carlos Nelson of Limestone County.

Also:

H. J. R. 22. Requesting the issuance of a postage stamp to commemorate the one hundred and fiftieth anniversary of the Alabama Territory.

Also:

H. J. R. 17. Designating the new dining hall at Auburn University "Leila Avary Terrell Hall".

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 16. Designating the "Douglas McArthur State Technical Institute" at Opp in Covington County.

Also:

H. J. R. 25. Expressing regret upon the death of Charles M. Pinkston.

Also:

H. J. R. 32. Designating the Tuscaloosa County Public Lake "Lake Lurleen".

Also:

H. J. R. 31. Endorsing Mrs. Rose Doane for the award of the Carnegie Medal.

Also:

H. J. R. 30. Endorsing Jesse Williams for the award of the Carnegie Medal.

Also:

H. J. R. 33. Proclaiming Vocational Education Week in Alabama in recognition of the fiftieth anniversary of the passage of the Smith-Hughes Act.

Also:

H. J. R. 34. Naming the Eugene B. Landreth Music Hall at the Alabama School for the Blind at Talladega.

Also:

H. J. R. 36. Congratulating Lady, an exceptional six year old Pointer, her owner and trainer, for Lady's outstanding performance in winning the National Bird Dog Championship of 1967.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 18. Expressing regret upon the death of Mr. Walter D. Newman of Guntersville.

Also:

H. J. R. 19. Expressing regret upon the death of Roosevelt Williamson, outstanding Negro citizen of Guntersville.

Also:

H. J. R. 20. Expressing regret upon the death of Mr. Tom McCord.

Also:

H. J. R. 8. Requesting the President of the United States to release to the State of Alabama federal funds being withheld.

Also:

H. J. R. 11. Opposing any increase in postal rates for first class mail and urging that rates charged for all second, third and fourth class mail be in accordance with the cost incurred in handling such mail.

Also:

H. J. R. 10. Expressing regret upon the death of Mr. Owen Downing, brother of Representative Downing from Mobile County.

Also:

H. J. R. 15. Commending Dr. Gilbert E. Fisher of Union Springs, Alabama for his skill and accomplishments in the field of medicine.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 20. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

Also:

S. 22. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

JOHN W. PEMBERTON,
Clerk.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 29. Protesting the activities of Harold Howe II, Commissioner of Education, in connection with the school systems of the State of Alabama.

And said Resolution was then adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 11. Petitioning the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution.

And said Resolution was then adopted by the Senate.

Yeas 21; Nays 11.

Yeas:

Messrs.:	Clark	Hawkins	Skidmore
Adams	Cooper	Jackson	Stone
Albea	Folsom	Leonard	Torbert
Branyon	Giles	Lolley	Turner
Carr	Gilmore	Pelham	Vacca
Childs	Givhan		

Nays:

Messrs.:
Dominick
Goodwyn

Harris
Lindsey
McCarley

McDermott
Morrow
Nabors

O'Bannon
Pierce
Radney

—11

ADJOURNMENT

At 4:45 P. M., on motion of Mr. Radney, pending further consideration of the Bill, S. B. 14, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, March 29, 1967, at 2 o'clock P. M.

FIFTEENTH LEGISLATIVE DAY

WEDNESDAY, MARCH 29, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Clayton Gilbert, Royal Ambassador Secretary, Alabama Baptist State Convention, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:
Adams
Albea
Bailes
Branyon
Carr
Childs
Clark
Cooper

Dominick
Folsom
Giles
Gilmore
Givhan
Goodwyn
Harris
Hawkins
Jackson

Lindsey
Lolley
McCarley
McDermott
Morrow
Nabors
O'Bannon
Oden

Pelham
Pierce
Radney
Skidmore
Stone
Torbert
Turner
Vacca

—33

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fourteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Engel and Leonard for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 13. Creating an interim committee to study the federal Highway Safety Act.

Also:

S. J. R. 20. Congratulating the Sidney Lanier High School athletic forces.

Also:

S. J. R. 22. Relative to adjournment of the two Houses of the Legislature.

Also:

S. J. R. 23. Commending Mr. Benny Marshall upon the excellence of his writings.

Also:

S. J. R. 26. Mourning the death of J. Ben Steed.

Also:

S. J. R. 27. Naming the football stadium in Huntsville the Milton Frank Stadium.

Also:

S. J. R. 30. Relative to adjournment of the two Houses of the Legislature.

Also:

S. 7. To amend further Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

S. 12. Relating to Tallapoosa County: To create and establish in Tallapoosa County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions

at law and of juvenile cases, said court to be known as the Court of Common Pleas of Tallapoosa County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Tallapoosa County; and providing for the transfer and trial of cases pending in the County Court of Tallapoosa County and in the Juvenile Court of Tallapoosa County, at the time this act takes effect, to the Court of Common Pleas of Tallapoosa County, Alabama.

Also:

S. 20. To make an additional appropriation for the ordinary expenses of the executive, legislative and judicial departments of the State.

Also:

S. 22. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Also:

S. 43. To authorize establishment and operation of branch banks and branch offices of banks in Tallapoosa County.

Also:

S. 50. To authorize the county governing body of counties having populations of not less than 160,000 nor more than 300,000, according to the most recent federal decennial census, to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Also:

S. 51. To amend Act No. 428, H. 933, Regular Session 1961, an act creating and establishing a countywide personnel system for counties having populations of not less than 150,000 nor more than 300,000 (Acts of Alabama, Regular and Special Sessions 1961, v. 1, p. 456).

Also:

S. 53. Providing for the appointment of clerical assistants by certain officers of Fayette County, fixing their compensation and providing for payment thereof from the general funds of the county; superseding and repealing Act No. 26, H. 19, Second Special Session, 1963 (Acts 1963, Second Special Session, p. 193).

Also:

S. 54. To authorize the Court of County Commissioners of Fayette County, to fix the compensation of the second deputy sheriff and to pay such compensation from the County public highway and traffic fund.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote

of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Jackson, Radney and Lindsey:

S. 107. To redefine the offense of stealing a dog and to prescribe the punishment therefor.

Committee on Judiciary.

By Mr. Carr:

S. 108. To authorize all counties, all municipalities and all public hospitals in the state to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve counties, municipalities and public hospitals furnishing such service from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 8. To make an appropriation to the State Department of Mental Health.

Also:

S. 9. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ellis:

H. J. R. 56. WHEREAS, The President of the United States has appointed Harold Howe as Commissioner of Education; and

WHEREAS, Harold Howe has used his office to harass, intimidate and coerce local boards of education within the State of Alabama; and

WHEREAS, Harold Howe has issued so-called guidelines which are not only illegal and transcends the law but which, if followed in the State of Alabama, would completely disrupt and destroy public education in the State of Alabama; and

WHEREAS, The said Harold Howe has made public speeches calling for riots as occurred in the Watts area of Los Angeles to "spur action" in the school systems; and

WHEREAS, Harold Howe has also publicly stated, "If it takes violence to change it . . . , well, that's what it takes."; and

WHEREAS, Harold Howe, not only seeks to control every school system in the State of Alabama, but plans to make attempts to control the school systems in the other parts of the country; and

WHEREAS, to allow Harold Howe to continue as Commissioner of Education will ultimately destroy state and local control of every school system in the country; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature of Alabama does hereby condemn the activities of Harold Howe in connection with the school systems of the State of Alabama and do hereby call upon the Congressional Delegation from the State of Alabama to use every means at their disposal to remove the said Harold Howe from office.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each member of the Congressional Delegation from the State of Alabama and to the President of the United States.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 56, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Radney (with notice and proof):

S. 104. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

By Mr. Pearson (with notice and proof):

H. 1. Relating to Autauga County; levying a county license or excise tax upon the sale, distribution, delivery, storage or taking out of storage of malt or brewed beverages; fixing the amount of such tax; providing for the manner of its payment and collection and the use of its proceeds; prescribing penalties for violations; and providing otherwise for the administration of the act.

By Messrs. Merrill, Lybrand and Burgess:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

By Messrs. Blanton and Hain (with notice and proof):

H. 119. Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, providing for the disposition and use of such fees, and repealing conflicting laws.

By Messrs. Beck and Meade:

H. 121. To apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties.

By Mr. Marr et al (with notice and proof):

H. 137. To apply only in Mobile County, providing for service of jury summonses by mail.

By Mr. Marr et al (with notice and proof):

H. 139. To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

By Messrs. Smith (P) and Bolton:

H. 141. To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000.

By Mr. Bank et al (with notice and proof):

H. 143. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

By Mr. Collier (with notice and proof):

H. 150. To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

By Mr. Springer et al:

H. 154. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 161. To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

By Mr. Williams:

H. 165. To authorize the governing bodies of counties having a population of not less than 36,600 and not more than 37,600 according to the 1960 Federal Census to appropriate funds from the General Fund of said counties for the purpose of employing clerical help.

By Mr. Stubbs (with notice and proof):

H. 171. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

By Mr. Stubbs (with notice and proof):

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

By Mr. Stubbs (with notice and proof):

H. 173. To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

By Mr. Young (with notice and proof):

H. 174. Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

RESOLUTION

Messrs. Givhan, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Engel, Folsom, Giles, Gilmore, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca and Lieutenant Governor Brewer offered the following Senate Resolution, to-wit:

S. R. 31. WHEREAS, it has been called to the attention of the members of this body that Honorable C. M. Wilson is convalescing from a recent illness; and

WHEREAS, Mr. Wilson, father of our Assistant Secretary, Mrs. Nell W. Ruffer, served this body for many years as Tabulation Clerk, Doorkeeper, and most recently as Chaplain; and

WHEREAS, on the occasion of the Selma March, the prayer which Mr. Wilson offered was printed in the official Journal of the Senate, the first time an invocation has ever been so honored; and

WHEREAS, Mr. Wilson's presence in the Senate is sorely missed, and his unfailing courtesy, good humor, and devotion to duty were an inspiration to all with whom he served,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA, that we wish for our friend Mr. Wilson a speedy recovery and many years of health and happiness.

BE IT FURTHER RESOLVED that we extend to Mr. Wilson our gratitude for the many services he has rendered to the Senate over the years.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Mr. Wilson and to Mrs. Ruffer.

On motion of Mr. Givhan, said Resolution was unanimously adopted by the Senate.

UNFINISHED BUSINESS
BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 14. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

The question was on the substitute offered by Mr. Torbert, which said substitute is set out at length in the Journal of the Senate for the Twelfth Legislative Day.

Mr. Cooper moved that further consideration of the Bill, S. B. 14, and pending substitute, be postponed until the next Legislative Day as Unfinished Business.

Mr. Bailes moved as a substitute motion that further consideration of the Bill, S. B. 14, and pending substitute, be postponed until the next Legislative Day.

MOTION TO RECESS LOST

At 2:24 P. M., Mr. Nabors moved that the Senate take a five minute recess. At 2:25 P. M., Mr. Cooper moved as a substitute motion that the Senate adjourn until Thursday, March 30, 1967, at 6:30 P. M., which resulted in a tie vote.

Yeas 13; Nays 13.

Yeas:

Messrs.:	Clark	Lindsey	O'Bannon
Adams	Cooper	Lolley	Radney
Albea	Gilmore	McCarley	Stone
Branyon	Givhan		

—13

Nays:

Messrs.:	Goodwyn	Morrow	Pierce
Bailes	Harris	Nabors	Skidmore
Childs	Hawkins	Pelham	Turner
Dominick	McDermott		

—13

The President and Presiding Officer of the Senate voted "Nay"; therefore, the motion to adjourn was lost.

The question then recurred on the motion to recess for five minutes, which motion was lost.

FURTHER CONSIDERATION OF S. B. 14

The Senate then proceeded to further consideration of the Bill, S. B. 14. The question was on the substitute motion offered by Mr. Bailes that further consideration of the Bill, S. B. 14 and pending substitute, be postponed until the next Legislative Day. On motion of Mr. Goodwyn, the motion of Mr. Bailes was laid on the table.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Cooper	Jackson	Radney
Adams	Folsom	Lindsey	Skidmore
Albea	Giles	Lolley	Stone
Branyon	Givhan	McCarley	Turner
Clark	Goodwyn	McDermott	

—18

Nays:

Messrs.:	Dominick	Hawkins	O'Bannon
Bailes	Gilmore	Morrow	Pelham
Childs	Harris	Nabors	Pierce

—11

The question then recurred on the motion of Mr. Cooper that further consideration of the Bill, S. B. 14, and pending substitute, be postponed until the next Legislative Day as Unfinished Business. On motion of Mr. Branyon, the motion of Mr. Cooper was laid on the table.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Clark	Givhan	Lolley
Adams	Cooper	Goodwyn	McCarley
Branyon	Folsom	Jackson	Stone
Childs	Giles	Lindsey	Turner

—15

Nays:

Messrs.:	Gilmore	Morrow	Pierce
Albea	Harris	Nabors	Radney
Bailes	Hawkins	O'Bannon	Skidmore
Dominick	McDermott	Pelham	

—14

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook (Jefferson), Gloor, Adwell, Bowers, Meeks, Yeilding, Holman, Lemley, Malone, Blanton and House:

H. 84. To prohibit cities and towns from levying or imposing new or additional taxes, licenses, or excises on gasoline or any substitute therefor which is consumed as aviation fuel.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 84. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook (Jefferson), Gloor, Adwell, House, Sessions, Bowers, McDonald, Wright, Cherner, Collins (W), Culver, Dobbs, Perloff, Starnes, Watkins, Owens (W.E.), Dill, Money, Jackson (T), Gafford, Yeilding, Waggoner, Holman, Meeks, Ellis, Crane, Kilgore, Lybrand, McElhaney, Bank, Beck, Headley, Smith (P), Foshee, Collier, Weeks, Lemley, Malone and Blanton:

H. 82. To amend Title 51, section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline so as to effect a reduction in the rate of taxation of gasoline and other fuels used to propel aircraft.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 82. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (C), Collins (W), Grayson, Downing, Hogan and Edington:

H. 58. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Also:

By Messrs. Smith (C), Grayson, Downing, and Hogan:

H. 54. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 58 and 54. To the Committee on Seaports.

(The above numbered Bill, H. B. 58, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Harper:

H. J. R. 57. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the library

building now under construction at Alexander City State Junior College shall be known and designated as the Thomas D. Russell Library in recognition and appreciation of Mr. Russell's great dedication and untiring effort in furthering the cause of education in Alabama, and particularly in Tallapoosa County and Alexander City.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 57, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF S. B. 14

The Senate then proceeded to further consideration of the Bill, S. B. 14, and pending substitute.

Mr. Dominick moved that the substitute offered by Mr. Torbert for the Bill, S. B. 14, be laid on the table, which motion was lost.

Yeas 9; Nays 15.

Yeas:

Messrs.:	McDermott	O'Bannon	Pierce	
Dominick	Morrow	Pelham	Turner	
Harris	Nabors			—9

Nays:

Messrs.:	Cooper	Givhan	McCarley	
Adams	Folsom	Jackson	Oden	
Branyon	Giles	Lindsey	Radney	
Clark	Gilmore	Lolley	Skidmore	—15

ADJOURNMENT

At 2:55 P. M., on motion of Mr. Branyon, in accordance with Joint Resolution heretofore adopted, and pending further consideration of the Bill, S. B. 14, the Senate adjourned until Thursday, March 30, 1967, at 6:30 o'clock P. M.

SIXTEENTH LEGISLATIVE DAY

THURSDAY, MARCH 30, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Rabbi David Baylinson, Temple Beth Or, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Hawkins	Nabors
Adams	Engel	Jackson	O'Bannon
Albea	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Radney
Childs	Givhan	McCarley	Skidmore
Clark	Goodwyn	McDermott	Stone
Cooper	Harris	Morrow	Turner

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Fifteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Oden for today.

As previously requested, Senators Torbert, Vacca and Carr were granted leave for this Legislative Day to attend an Air Pollution Study Committee meeting out of the State.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 8. To make an appropriation to the State Department of Mental Health.

Also:

S. 9. To make an appropriation to the State Mental Health Department for Capital Outlay purposes.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Pierce, Branyon, Folsom and Radney:

S. 109. To amend Sections 7, 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234, to provide for the salary of the Chief Examiner and the Assistant Chief Examiner of the Department of Examiners of Public Accounts; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

Committee on Finance and Taxation.

By Mr. Giles:

S. 110. To authorize and permit grocery stores to remain open on Sunday in each county in the State having a population of not less than 110,000 nor more than 160,000, according to the last or any succeeding federal census, provided any such grocery store does not have on duty in such stores more than two employees at any one time on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 19. To make an additional appropriation to the Agricultural Center Board.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 26. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

Also:

S. 17. To make an additional appropriation from the state treasury to the use of the secretary of state for payment of salaries and other expenses.

Also:

S. 13. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

Also:

S. 16. To make an appropriation to the office of the Attorney General and to provide for Special Assistant Attorneys General and Investigators.

Also:

S. 18. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 182. To apply only in counties having populations of not more than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

Also:

By Messrs. Drake, McDonald, Starnes and Ellis:

H. 31. To require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Also:

By Mr. McCorquodale:

H. 148. To make an appropriation to the Governor's Committee on the Status of Women.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 182. To the Committee on Local Legislation No. 1.

H. B. 31. To the Committee on Aviation and Traffic.

H. B. 148. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Merrill:

H. 145. To make an additional appropriation for the expenses of the Court of Appeals.

Also:

By Messrs. Thomas, Bank, Culver, Bowers, Brown, Meeks, Waggoner, House, Cook (Jefferson), Holman, Jackson (T), Ellis, Gloor, Adwell, Watkins, Gafford, Yeilding, Cherner, Dill, Crane and Sessions:

H. 155. To amend the Code of Alabama 1940, Title 52, Section 509 (1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

Also:

By Messrs. Owen (Baldwin), and Grayson:

H. 78. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws.

Also:

By Messrs. Smith (P), Harris and Hobbie:

H. 108. To make an additional appropriation to the Alabama State Milk Control Board.

Also:

By Messrs. Steagall, Burgess and Stembridge:

H. 118. To create the position of Assistant Director in the Department of Public Safety; to provide for his appointment and removal, duties, responsibilities and salary; and to provide for the effective date of this act.

Also:

By Mr. Neville:

H. 147. To make unlawful the staking, tying, hobbling or pasturing of livestock upon the right-of-way of any highway and to provide for the impounding of any livestock so staked, tied, hobbled, or pastured, and to provide a penalty for any person staking, tying, hobbling or pasturing any livestock on the right-of-way of any highway.

Also:

By Mr. Marr:

H. 153. Relating to costs and fees in criminal cases, providing for assessment of counsel fees as court costs in certain cases.

Also:

By Mr. Cook (Coffee):

H. 109. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

Also:

By Mr. Garrett:

H. 169. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of intention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

Also:

By Mr. Garrett:

H. 170. Proposing an amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

Also:

By Messrs. Neville, Meeks, Turnham, Higginbotham, Brassell, Thomas, Steagall, Blanton, Hain, Garrett, Crawford, Smith (P), Hardin, Cook (Jefferson), Hill, Meade, Edington, Beck, Bank, Snell and Stembridge:

H. 146. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to permit certain spouses of certain students to vote in such elections.

Also:

By Messrs. Blanton and Malone:

H. 120. To propose an amendment to the Constitution providing a means of adopting local amendments to the Constitution at local elections.

Also:

By Messrs. Lybrand, Merrill and Burgess:

H. 179. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 145, 108, 118 and 109. To the Committee on Finance and Taxation.

H. B. 155. To the Committee on Education.

H. B.'s 78 and 153. To the Committee on Judiciary.

H. B. 147. To the Committee on Public Roads and Highways.

H. B.'s 169 and 146. To the Committee on Privileges and Elections.

H. B.'s 170 and 120. To the Committee on Constitution and Constitutional Revision and Amendments.

H. B. 179. To the Committee on Local Legislation No. 1.

(The above numbered Bills, H. B.'s 170, 120 and 179 were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owens (W):

H. 181. Providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

Also:

By Mr. Berryman (R):

H. 23. To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Be It Enacted by the Legislature of Alabama:

Act No. 101, H. 112, Special Session 1966, an act regulating and providing for payment of the compensation of certain deputies of the sheriff of Lawrence County, is hereby amended to read as follows:

"Section 1. In Lawrence County, the chief deputy sheriff shall be entitled to a salary of not less than \$4,000 nor more than \$5,500 per annum, which salary shall be fixed and determined by the board of revenue, court of county commissioners, or other like governing body of the county.

"Section 2. The deputies of the sheriff other than the chief deputy whose compensation is payable by the county, not exceeding three in number, shall each be entitled to a salary of not less than \$4,000 nor more than \$5,200, which salaries shall be fixed and determined by the board of revenue, court of county commissioners, or other like governing body of the county.

"Section 3. The salaries of the chief deputy and other deputies shall be paid in whole or in part out of the county public highway and traffic fund or the county general fund, as the court of county commissioners, board of revenue, or other like governing body of the county may direct, in equal monthly installments, upon warrants drawn on the county treasury in the manner prescribed by law.

"Section 4. All laws or parts of laws which conflict with this Act are repealed.

"Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

"Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 12, Jan. 19, Jan. 26, and Feb. 2, all in the year 1967.

ARTHUR F. SLATON.

Sworn to and subscribed before me February 10, 1967.

LERUTH G. SLATON,
Notary Public.
4-15-70

Also:

By Mr. Berryman (R):

H. 24. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made.

The bill will relate to the government of Lawrence County. It will abolish the board of revenue of Lawrence County, which is the present county governing body, and establishes in lieu thereof a court of county commissioners with the judge of probate as principal judge and four commissioners. It will provide for the organization, powers, jurisdiction and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of the commissioners from the several commissioners districts in the county. It will stipulate that the duties imposed on the judge of probate will be ex officio duties for which he shall not be entitled to any additional compensation. In providing for the jurisdiction and powers of the court of county commissioners it will be expressly provided that the court of county commissioners, except as otherwise provided in this bill and in the act providing that Lawrence County roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and officials thereof of certain duties in regard thereto (Act No. 326, H. 109, of the Special Session of 1966), shall have and exercise all the jurisdiction and powers vested in courts of county commissioners by the general laws of the State. Also that the members of the court of county commissioners shall preform all the duties and services and exercise all the powers which are or hereby may be provided by law for members of courts of county commissioners. The bill will authorize the judge of probate to employ a clerk to assist him in the performance of his duties as chairman of the court of county commissioners, and will authorize the judge of probate to prescribe the clerk's duties. The clerk's compensation will be fixed in the bill, and provision will be made for the payment thereof out of the county treasury. The bill will prescribe meeting dates for the court of county commissioners and procedures to be followed at such meetings. It will prescribe the number of affirmative votes required in order for Lawrence County to borrow money, issue tax anticipation warrants or pledge future taxes. It will also regulate county purchasing and prescribe procedure therefor. It will forbid certain uses of county property and prescribe penalties for violations of the act proposed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967, all in the year 1966 & 67.

ARTHUR F. SLATON.

Sworn to and subscribed before me February 10, 1967.

LERUTH G. SLATON,
Notary Public.
4-15-70

Also:

By Messrs. Beck, Williams and Meade:

H. 185. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Coun-

ties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Also:

By Messrs. Brassell and Higginbotham:

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF RUSSELL**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#R9429;2/24/67)

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created in Russell County a juvenile court, which shall have and exercise in Russell County all the powers, duties, and jurisdiction of juvenile courts as provided by Chapter 7, Title 13, Code of Alabama (1940).

Section 2. A judge of the juvenile court of Russell County shall be elected at the general election in November 1968, and every six years thereafter, and shall hold office for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified. The judge of the court shall be a resident citizen and qualified elector of Russell County at the time of his appointment or election, and shall reside in the county during his continuance in office. Before entering upon the discharge of the duties of his office, the judge shall take the oath prescribed by Section 279 of the Constitution. The judge may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law. Immediately after the effective date of this Act, the Governor shall appoint a qualified person to serve as judge of the juvenile court of Russell County, who shall be selected with special reference to training, experience, capacity, and fitness for the performance of his duties. In the event of a vacancy in the office of judge, the Governor shall appoint a qualified person as judge and the person so appointed shall hold office for the unexpired term. If the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 124, Title 13, Code 1940.

Section 3. The judge of the juvenile court shall devote his full time to the duties of his office and receive a salary of nine thousand dollars per annum, payable in equal monthly installments out of the general fund of the county.

Section 4. The judge of the juvenile court of Russell County shall perform all the duties and functions, and shall have the powers and authority, that are provided by general law for the judges of juvenile courts. He shall also have the power and authority to appoint a clerk-investigator for the court. Such clerk-investigator shall serve at the pleasure of the judge and shall do and perform such duties relative to the functions of the court and the keeping of the minutes of the court and other records pertinent thereto as are delegated and assigned to him by the judge. He shall also make such investigations and assemble such facts and information relative to cases pending in the court and persons involved therein as required by the judge. For the performance of his duties the clerk shall be entitled to receive an annual salary of four thousand eight hundred dollars payable out of the general fund of Russell County in equal installments at the same time and in the same manner that the judge's salary is paid. Before entering upon the duties of his office the clerk-investigator shall take the oath prescribed by law to be taken by officers of the State and give bond for the faithful performance of his duties, with surety payable to Russell County, Alabama, in such sum, not exceeding three thousand dollars, as the judge may prescribe.

Section 5. The board of revenue, court of county commissioners or other governing body of Russell County shall provide an office in the courthouse for the judge of the juvenile court and shall also provide, at county expense, such office furniture, equipment and other items as are needed for the economical and efficient functioning of the court, including but not limited to, the following: a desk, filing cabinets, a typewriter, an air-conditioner, a couch, chairs, stamps, stationery and other usual office supplies and equipment and a telephone.

Section 6. As soon as a judge is selected and has qualified for the court hereby created the juvenile court theretofore existing in Russell County is hereby abolished; and all the powers, duties and jurisdiction in juvenile cases theretofore vested in the judge of probate of Russell County pursuant to the general law or any local law are hereby withdrawn and taken away from him. All cases pending in the abolished court shall be transferred from the docket of that court to the court hereby created and shall proceed as if begun in such court.

Section 7. All laws and parts of laws which conflict with this Act are repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor and Publisher of the Phenix Citizen Herald, a

newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 2, March 9, March 16, and March 23, all in the year 1967.

JANE GULLATT.

Sworn to and subscribed before me 23rd day of March, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Mr. Brassell:

H. 189. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
RUSSELL COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/7/66)

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 16, H. 120, approved May 20, 1943, the Act which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy, and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9), as amended, is amended further to read as follows:

"The salary of each of such deputies shall be four thousand two hundred dollars per annum. Such salaries shall be paid by the county commission out of the general fund in the county treasury in twelve monthly installments."

Section 2. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me

first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967.

JANE GULLATT.

Sworn to and subscribed before me Jan. 18, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Mr. Brassell:

H. 190. To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
RUSSELL COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/7/66)

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40), as amended, is further amended to read as follows:

"The chief clerk so appointed shall be paid a salary of four hundred dollars per month."

Section 2. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12/22/66, 12/29/66, 1/5/67, and 1/12/67.

JANE GULLATT.

Sworn to and subscribed before me January 18, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Mr. Brassell:

H. 191. Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
RUSSELL COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/8/66)

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever the circuit clerk of Russell County has also been appointed and is serving as register in chancery he shall be entitled to appoint a deputy clerk in addition to the deputy provided for in Act No. 75, H. 379, approved May 28, 1943 (Local Acts 1943, p. 41); and such additional deputy shall serve as deputy register of Russell County and perform such other duties as are assigned to him by the circuit clerk. Such additional deputy shall hold office at the pleasure of the circuit clerk. He shall be paid a salary of three hundred fifty dollars per month out of the general fund of Russell County. Such salary shall be paid at the same time and in the same manner that the salaries of other county employees are paid.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall go into effect on the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967.

JANE GULLATT.

Sworn to and subscribed before me 1/18, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Mr. Brassell:

H. 192. Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
RUSSELL COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/7/66)

A BILL TO BE ENTITLED AN ACT

Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Russell County may appoint and employ one clerk, in addition to the chief clerk authorized by Act No. 74, H. 378, of the Regular Session of 1943 (Local Acts 1943, p. 40). Such clerk shall serve at the pleasure of the probate judge, and shall perform such duties as the judge may prescribe.

Section 2. The compensation of the clerk employed pursuant to Section 1 of this Act shall be three hundred fifty dollars per month, which shall be paid out of the general fund of Russell County at the same time and in the same manner that other employees of the county are paid.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967.

JANE GULLATT.

Sworn to and subscribed before me 1/18, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Mr. Brassell:

H. 193. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9429:12/7/66)

A BILL TO BE ENTITLED AN ACT

To amend further Act. No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit

court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 75, H. 379, approved May 28, 1943, the Act which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41), as amended by an Act approved June 19, 1947, is amended further to read as follows:

"Section 2. Such deputy circuit clerk so appointed shall be paid a salary out of the general fund of Russell County of four thousand eight hundred dollars per annum, to be paid in twelve equal monthly installments."

Section 2. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12/22/66, 12/29/66, 1/5/67, and 1/12/67.

JANE GULLATT.

Sworn to and subscribed before me January 18, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Messrs. Brassell and Higginbotham:

H. 194. Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

With notice and proof thereto attached and herewith exhibited as follows:

Legal

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(9429:12/8/66)

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Russell County shall receive, in addition to all other compensation heretofore provided by law, an allowance of one hundred dollars (\$100) per month for expenses incurred by him in performing the duties of his office. Such allowance shall be paid from the general fund of the county on warrants drawn as prescribed by law.

Section 2. All laws and parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12/22/66, 12/29/66, 1/5/67, and 1/12/67.

JANE GULLATT.

Sworn to and subscribed before me January 18, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Mr. Brassell:

H. 195. To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(9429:12/9/66)

A BILL
TO BE ENTITLED
AN ACT

To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission or other governing body of Russell County is hereby authorized, empowered, and directed to pay the official court reporter of the twenty-sixth judicial circuit a supplemental salary of \$2,400 per annum, payable in equal monthly installments out of the general funds of Russell County. Such salary shall be in addition to the salary provided by Act No. 691, S. 284, Regular Session of 1951, (Acts 1951, p. 1193) as last amended.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective on the first day of the first month beginning after its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Dec. 22, 1966, Dec. 29, 1966, Jan. 5, 1967, and Jan. 12, 1967.

JANE GULLATT.

Sworn to and subscribed before me Jan. 18, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Mr. Brassell:

H. 196. Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(#9450:1/3/67)

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Russell County is authorized and empowered to appoint one additional clerk to assist him in the performance of his duties. Such clerk shall serve at the pleasure of the tax assessor and shall be entitled to a salary of \$350.00 per month payable from the general fund of the county upon warrants drawn in the manner provided for the payment of employees of said county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 12, January 19, January 26, and February 2, all in the year 1967.

JANE GULLATT.

Sworn to and subscribed before me February 2, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Mr. Brassell:

H. 197. To provide for compensation of jurors in Russell County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(H9429:12/8/66)

A BILL
TO BE ENTITLED
AN ACT

To provide for compensation of jurors in Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in Russell County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll. However, only one such travel allowance shall be paid a grand juror for attending any one session of the grand jury and only one such travel allowance shall be paid a petit juror for attending court pursuant to one summons. His service and travel expenses shall be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate which states therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes and other county dues, and payable out of the county treasury.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12/22/66, 12/29/66, 1/5/67, and 1/12/67.

JANE GULLATT.

Sworn to and subscribed before me January 18, 1967.

DIXIE G. HOLT,
Notary Public.

Also:

By Messrs. Shumate and Dobbs:

H. 198. Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of finance and control, court of county commissioners, board of revenue, or other like governing body of Walker County shall have authority to appropriate and use such sums from the general funds of the county not otherwise appropriated, and to designate and use such county property, buildings, and facilities, as may be necessary to enable the county or any economic action committee, board or group formed in Walker County under Public Law 88-452 approved by Congress on August 20, 1964, known as the Economic Opportunity Act of 1964 and approved by the Office of Economic Opportunity, to participate in programs and receive benefits and funds provided for and made available by and from the federal government under said Public Law 88-452, when such county governing body, in its discretion, considers such action to be in the best interests of the county. It is specifically provided that the authority herein above granted shall include the authority to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to any non-profit community action committee, board and group heretofore or hereafter formed in Walker County under the said Economic Opportunity Act of 1964, and approved by the Office of Economic Opportunity. Provided, however, that such sums and such property, buildings, and facilities shall not be appropriated, designated, or used in any manner which conflicts with the Constitution of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: February 16, 1967 February 23, 1967 March 2, 1967 March 9, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 13 day of March, 1967.

R. W. BOTELER, JR.,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 181, 23, 24, 185, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197 and 198. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 58. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House and Senate be held at 7:30 o'clock today for the purpose of hearing the message of the Honorable Lurleen B. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED that a Committee of three from the House, to be named by the Speaker of the House and a Committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise her that the two Houses will meet in joint session at the hour named above for the purpose of receiving her message, and that the Committee escort her to the House Chamber.

And the Speaker of the House named as a Committee on the part of the House Messrs. Fine, Stembridge and Owen.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 58, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Clark and Turner.

REPORTS OF COMMITTEES

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pruitt:

H. 67. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

Mr. Engel, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (C) et al:

H. 58. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Smith (C) et al:

H. 54. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

RESOLUTIONS

Mr. Leonard offered the following Senate Joint Resolution, to-wit:

S. J. R. 32. WHEREAS James P. Nailen, son of Mr. and Mrs. James F. Nailen of 110 Franklin Avenue, Talladega, Alabama was killed in Vietnam on March 19, 1967; and

WHEREAS prior to entering the service of his country, Mr. Nailen attended Livingston State College for two years, and was later employed by the Southern Bell Company where he had a brilliant and promising future; and

WHEREAS the State of Alabama has suffered a grievous loss in the untimely death of one of its finest young men, who made the supreme sacrifice in upholding the principles for which this country stands; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend to Mr. and Mrs. Nailen our deepest and heartfelt sympathy in the loss of their son, James P. Nailen.

RESOLVED FURTHER That a copy of this resolution be sent to Mr. and Mrs. Nailen.

On motion of Mr. Leonard, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Folsom, Pierce and Goodwyn offered the following Senate Joint Resolution, to-wit:

S. J. R. 33. WHEREAS Bart Starr, alumnus of Montgomery's Sidney Lanier High School and the University of Alabama at which institutions he was a consistently effective and outstanding quarterback, elected professional football as his chosen profession; and

WHEREAS Bart Starr, during his long and brilliant tenure with the Green Bay Packers has added innumerable victories to his powerful team's long string of successful seasons. He has unusual ability to analyse the game, to capitalize on the weaknesses of his opposition and to take advantage of his team's abilities. He is truly an artist in maneuvering the ball and mixing his plays, utilizing his own ability to pass with long, pinpoint precision or to run with speed and agility when his receivers are covered; and

WHEREAS after the Packers won the National Football League championship last season and overwhelmingly defeated the Kansas City Chiefs in the first play off of the American and National Football Leagues, Mr. Starr won the Most Valuable Football Player award; and

WHEREAS Bart Starr has made numerous and successful public appearances in person and on radio and television in which he has exhibited a becoming modesty and gracious manner as to bring credit to himself and to Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mr. Bart Starr upon his long and successful football career. We commend him upon the occasion of his having been named Most Valuable Football Player of 1966, a recognition which he richly deserves, and wish for him many more successful seasons of play.

RESOLVED FURTHER That a copy of this resolution be sent to Mr. Starr and to the Green Bay Packers.

On motion of Mr. Folsom, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

was taken up.

Mr. Albea offered the following substitute for the Bill, to-wit:

Substitute for H. B. 117

A BILL TO BE ENTITLED AN ACT

To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, the sheriff may appoint and employ not less than sixteen deputies, including a chief deputy, an assistant chief deputy, and a county investigator, whose compensation shall be paid from the general funds of the county, as the salaries of county employees are paid. The compensation of the chief deputy shall be fixed by the sheriff at not less than \$500 a month; the compensation of the assistant chief deputy and of the county investigator shall be fixed by the sheriff at not less than \$475 per month for each; the compensation of each of the other deputies shall be fixed by the sheriff at not less than \$400 per month during the first year of employment by the sheriff and not less than \$450 per month after the first year of employment.

Section 2. The county investigator shall be provided by the county with a suitable automobile and the expenses incurred in the operation thereof on official business; and in addition, the investigator shall be provided a reasonable clothing allowance, and shall be reimbursed expenses incurred for travel outside the county while he is engaged on official business.

Section 3. The sheriff of such county may employ a chief clerk for his office, whose compensation shall be fixed by the sheriff at not less than \$400 a month, which shall be paid from the general funds of the county, as the salaries of county employees are paid.

Section 4. The sheriff of such county may also appoint and employ not less than four jail wardens whose compensation shall be paid from the general funds of the county. Each jail warden shall receive a salary to be fixed by the sheriff at not less than \$350 a month.

Section 5. From time to time, the sheriff may authorize one or more of his deputies to attend training sessions conducted by police

academies or schools for law enforcement officers, and the cost thereof, including tuition fees, board, and travel expenses incurred in attending such session, shall be paid by the county.

Section 6. The governing body of any county in which this act applies is hereby authorized and empowered to expend from the general fund of the county, in addition to all other sums now provided by law, for the efficient operation of the office of sheriff and for increasing the salaries or compensation of the deputies, investigators, clerks and jailers above the minimum herein prescribed and for employing additional deputies, investigators, clerks and jailers upon recommendation of the sheriff of the county any amounts deemed to be reasonable and necessary by the said county governing body.

Section 7. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Pelham	
Albea	Givhan	McCarley	Pierce	
Branyon	Goodwyn	McDermott	Radney	
Childs	Harris	Morrow	Skidmore	
Clark	Hawkins	Nabors	Stone	
Cooper	Jackson	O'Bannon	Turner	
Dominick	Lindsey			—25

Nays:

—0

And said Bill, H. B. 117, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Pelham	
Albea	Givhan	McCarley	Pierce	
Branyon	Goodwyn	McDermott	Radney	
Childs	Harris	Morrow	Skidmore	
Clark	Hawkins	Nabors	Stone	
Cooper	Jackson	O'Bannon	Turner	
Dominick	Lindsey			—25

Nays:

—0

The Bill:

S. 104. To prescribe duties and powers of the stenographic secretary of District Attorney of the Fifth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Nabors	
Adams	Engel	Lindsey	O'Bannon	
Albea	Folsom	Lolley	Pelham	
Bailes	Giles	McCarley	Radney	
Branyon	Harris	McDermott	Stone	
Childs	Hawkins	Morrow	Turner	
Clark	Jackson			—25

Nays: —0

The Bill:

H. 121. To apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties.

Was read a third time at length and passed.

Yeas 25, Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Childs	Givhan	McDermott	Stone	
Clark	Goodwyn	Morrow	Turner	
Dominick	Harris			—25

Nays: —0

The Bill:

H. 137. To apply only in Mobile County, providing for service of jury summonses by mail.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	O'Bannon	
Adams	Giles	Leonard	Pelham	
Albea	Gilmore	Lindsey	Radney	
Childs	Givhan	Lolley	Skidmore	
Clark	Goodwyn	McDermott	Stone	
Cooper	Harris	Nabors	Turner	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 139. To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	O'Bannon
Adams	Dominick	Leonard	Pelham
Albea	Engel	Lindsey	Radney
Bailes	Giles	Lolley	Skidmore
Branyon	Goodwyn	McDermott	Stone
Childs	Harris	Nabors	Turner
Clark	Hawkins		

—25

Nays:

—0

The Bill:

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

was taken up.

Mr. McCarley offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 172

Amend House Bill 172 by deleting Sections 2 and 3 thereof, and inserting in lieu thereof the following:

"Section 2. Any and all monies collected under Section 1 of this act shall be deposited by the Sheriff of Shelby County, in any bank located in Shelby County, into a fund known as the Sheriff's Fund.

Section 3. The Sheriff's Fund as provided in Section 2 of this act shall be drawn upon by the Sheriff of Shelby County or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the Sheriff's office as he sees fit."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	McCarley	Radney
Bailes	Giles	Morrow	Skidmore
Branyon	Gilmore	Nabors	Stone
Clark	Givhan	O'Bannon	Turner
Cooper	Jackson		

—25

Nays:

—0

And said Bill, H. B. 172, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	McCarley	Radney
Bailes	Giles	Morrow	Skidmore
Branyon	Gilmore	Nabors	Stone
Clark	Givhan	O'Bannon	Turner
Cooper	Jackson		

—25

Nays:

—0

The Bill:

H. 141. To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Morrow	
Adams	Engel	Hawkins	Pelham	
Albea	Folsom	Leonard	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Childs	Givhan	McDermott	Stone	
Clark	Goodwyn			—25

Nays: —0

The Bill:

H. 143. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Jackson	Nabors	
Adams	Dominick	Lindsey	O'Bannon	
Albea	Gilmore	Lolley	Pelham	
Bailes	Givhan	McCarley	Pierce	
Branyon	Goodwyn	McDermott	Skidmore	
Childs	Harris	Morrow	Turner	
Clark	Hawkins			—25

Nays: —0

The Bill:

H. 150. To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Nabors	
Adams	Folsom	Lindsey	O'Bannon	
Albea	Giles	Lolley	Pelham	
Childs	Gilmore	McCarley	Radney	
Clark	Givhan	McDermott	Stone	
Cooper	Hawkins	Morrow	Turner	
Dominick	Jackson			—25

Nays: —0

The Bill:

H. 154. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Nabors
Adams	Folsom	Lindsey	O'Bannon
Albea	Giles	Lolley	Pierce
Bailes	Gilmore	McCarley	Skidmore
Branyon	Goodwyn	McDermott	Stone
Childs	Hawkins	Morrow	Turner
Dominick	Jackson		

—25

Nays:

—0

The Bill:

H. 161. To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham
Adams	Dominick	McCarley	Pierce
Albea	Folsom	McDermott	Radney
Bailes	Gilmore	Morrow	Skidmore
Branyon	Givhan	Nabors	Stone
Childs	Jackson	O'Bannon	Turner
Clark	Leonard		

—25

Nays:

—0

The Bill:

H. 165. To authorize the governing bodies of counties having a population of not less than 36,600 and not more than 37,600 according to the 1960 Federal Census to appropriate funds from the General Fund of said counties for the purpose of employing clerical help.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Nabors
Adams	Dominick	Jackson	O'Bannon
Albea	Engel	Lolley	Pierce
Bailes	Folsom	McCarley	Radney
Branyon	Giles	McDermott	Stone
Childs	Goodwyn	Morrow	Turner
Clark	Harris		

—25

Nays:

—0

The Bill:

H. 171. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	McCarley	Radney	
Childs	Goodwyn	Morrow	Skidmore	
Clark	Harris	Nabors	Stone	
Cooper	Hawkins	O'Bannon	Turner	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 173. To provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Hawkins	Pelham	
Adams	Folsom	Leonard	Pierce	
Albea	Giles	McCarley	Radney	
Bailes	Gilmore	Morrow	Skidmore	
Branyon	Givhan	Nabors	Stone	
Cooper	Goodwyn	O'Bannon	Turner	
Dominick	Harris			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 4. To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof.

Also:

S. 42. To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

Also:

S. 79. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Also:

S. 87. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historical architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

S. 90. Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 114. Relating to Walker County public schools; regulating the compensation of certain workers employed by city and county boards of education.

Also:

H. 98. To prohibit the use of steel traps and similar devices in Marion County, Alabama, and prescribe punishment for violation of this act.

Also:

H. 38. Relating to Dale County; providing for the time of closing county offices.

Also:

H. J. R. 38. Expressing regret upon the death of Mr. Richard Murray of Mobile.

Also:

H. J. R. 43. Expressing regret upon the death of Mr. Clyde McRae of Decatur.

Also:

H. J. R. 42. Mourning the death of Mr. Ewell K. Gregg of Morgan County, Alabama.

Also:

H. J. R. 41. Extending sympathy to the families of Linda, Louise and Shirley Paris; Gary Fikes; and Lawson Boatner, Jr. who lost their lives in a freight train accident in Tuscaloosa.

Also:

H. J. R. 40. Recommending the appointment of a legislative committee to investigate the feasibility of purchasing a limousine for the official use of the Governor.

Also:

H. J. R. 9. Proposing a "Tecumseh Committee" to investigate the feasibility of raising the Tecumseh and retaining the ship in Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 4. To alter or rearrange the boundary lines of the Town of Loxley, Baldwin County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Also:

H. 5. To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623).

Also:

H. 17. To provide further for the compensation of the circuit court judges of the seventh judicial circuit.

Also:

H. 27. To abolish the office of deputy solicitor of Covington County, and to repeal all laws general, special or local in conflict with the provisions of this Act insofar as they relate to Covington County.

Also:

H. 28. To repeal a local law of the Legislature of Alabama of 1927 entitled "An Act to provide for the institution and prosecution of misdemeanors in the Circuit Court of Covington County, otherwise than by indictment by the Grand Jury."

Also:

H. 29. Relating to Covington County; creating a court of record, to be known as the Covington County Intermediate Court; prescribing its jurisdiction and the practice and procedure to be followed therein, providing for the election of a judge and solicitor thereof and fixing their

qualifications, terms, and compensation, prescribing their authority and duties, providing for other officers of the court, and fixing the cost and fees to be collected therein; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Covington County, Alabama, the Justice of the Peace Courts of Covington County, Alabama, and the Juvenile Court and the Probate Court of Covington County to the Covington County Intermediate Court.

Also:

H. 32. Relating to the office of the sheriff of Cullman County; providing further for operation of such office; fixing the total compensation of the sheriff and his officers and employees and providing for the manner of their payment; authorizing the appointment of additional deputies and employees; providing for the purchase, operation and maintenance of certain automobiles at county expense for official use; repealing conflicting laws and specifically repealing Act No. 16, H. 78, Special Session 1962 and Act No. 154, S. 122, First Special Session 1964, as amended.

Also:

H. 30. To apply only in Covington County, revoking the jurisdiction of justices of the peace and notaries with powers of a justice of the peace in criminal and quasi-criminal cases.

Also:

H. 33. Relating to the judge of Cullman County Intermediate Court, providing him an allowance for employment of secretarial assistance.

Also:

H. 35. Relating to Cullman County; limiting the jurisdiction of justices of the peace and notaries public ex-officio; vesting such jurisdiction in the Cullman County Intermediate Court.

Also:

H. 36. To limit the authority of constables in Cullman County; to prohibit the making of arrests except in certain cases and to prohibit the execution of service of process issued in any criminal or quasi-criminal case by courts of justices of the peace or notaries public ex-officio.

Also:

H. 37. To provide an expense allowance for the deputy district attorney of Dale County; amending Act No. 546, H. 1035, Regular Session, 1961 (Acts 1961, p. 642), an act providing for the compensation of the county or deputy solicitor of Dale County.

Also:

H. 39. To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation.

Also:

H. 44. Relating to Geneva County: Fixing the fee for issuance of pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 45. To amend further Act No. 470, H. 576, Regular Session 1931 (Local Acts 1931, p. 234) as amended, providing clerical assistants to the judge of probate of Greene County so as to provide further for the compensation payable by the county.

Also:

H. 46. Relating to Greene County; providing for closing county offices on Saturdays.

Also:

H. 81. To authorize the governing bodies of counties having a population of not less than 36,600 nor more than 37,600 according to the 1960 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Also:

H. 61. To extend, alter and rearrange the boundary lines and corporate limits of the city of Fort Payne, in DeKalb County, Alabama.

Also:

H. 2. Relating to law enforcement in Autauga County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

H. 64. To regulate further the procedure for the abandoning of the commission form of government and the reorganization of the city government thereafter in all cities of this State which have populations of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census; to provide for the reorganization of such cities under a mayor and council; to prescribe the number of aldermen which shall comprise the council; to provide for the election of the mayor and aldermen and to prescribe their terms of office and their compensation.

Also:

H. 19. Relating to the Sheriff of Blount County; to increase the compensation of deputies of such county, and providing for the payment thereof out of the county treasury.

Also:

H. 20. Relating to Blount County: Withdrawing and taking away from justices of the peace and notaries public ex officio jurisdiction in certain cases; forbidding justices of the peace and notaries public ex officio to exercise any jurisdiction in criminal or quasi-criminal cases or garnishment and attachment proceedings, making it a misdemeanor for any justice of the peace or notary public ex officio, his agent or clerk, to issue a writ of garnishment or attachment, and prescribing a penalty therefor; declaring that the writ of garnishment or attachment issued by a justice of the peace shall be null and void; and transferring pending cases and proceedings to the Law and Equity Court of Blount County.

Also:

H. 21. RELATING TO BLOUNT COUNTY: To provide further for the distribution of fines and forfeitures in certain cases, and the expenditure of a portion thereof for the establishment, equipping and maintenance of a library for the judges and officers of the Courts of Blount County.

Also:

H. 22. Relating to Blount County, authorizing and directing the governing body of said County to provide for the appointment by the Sheriff of a Deputy Sheriff in addition to all other Deputies provided by law.

Also:

H. 76. To apply only in the nineteenth judicial circuit of Alabama; authorizing the district attorney of said circuit to appoint a secretary, and providing for payment of the compensation of the secretary by the counties composing the circuit; repealing Act No. 23, H. 3, Second Special Session 1955.

Also:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

Also:

H. 73. To amend Act No. 103, H. 372, Regular Session 1963, an act fixing the compensation of the Walker County superintendent of education.

Also:

H. 74. To regulate further the salary of the secretary of the sheriff of Walker County.

Also:

H. 107. To amend Sections 3, 13, and 21 of Act No. 115, H. 191, Special Session 1966 (Acts 1966, p. 147), an act to create the office of commissioner of licenses in counties having populations of not less than 57,000 nor more than 61,000, with respect to the compensation of the commissioner of licenses, and giving the amendatory act retroactive effect.

Also:

H. 113. Relating to Walker County: to amend Act No. 118, H. 436, approved July 12, 1957, providing for the government of the county, creating the Board of Finance and Control and abolishing certain other governing bodies (Acts of Alabama 1957, Vol. I, p. 166).

Also:

H. 99. To amend Section 5 of Act No. 30, H. 116, Regular Session 1957, an act creating the Marion County Superior Court (Acts 1957, V. I, p. 72), as amended by Act No. 107, H. 138, approved August 19, 1966.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Meade, Beck and Williams:

H. 203. To provide for an expense allowance for the District Attorney of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 203. To the Committee on Local Legislation No. 1

JOINT SESSION

The hour of 7:30 o'clock P. M. having arrived, on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives for the purpose of hearing the message of Her Excellency, the Governor.

The Joint Session was called to order by Honorable Albert P. Brewer, President and Presiding Officer of the Senate.

A quorum of the Legislature was present.

Thereupon Honorable Lurleen B. Wallace, Governor of Alabama, was escorted to the Chair and delivered her address to the Legislature of Alabama.

(See House Journal for Governor's Message.)

The purpose of the Joint Session having been accomplished, the Senate retired to its Chamber, and was called to order by Honorable Albert P. Brewer, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Bailes	Clark	Engel
Adams	Branyon	Cooper	Folsom
Albea	Childs	Dominick	Giles

Gilmore	Jackson	McDermott	Pierce
Givhan	Leonard	Morrow	Radney
Goodwyn	Lindsey	Nabors	Skidmore
Harris	Lolley	O'Bannon	Stone
Hawkins	McCarley	Pelham	Turner

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ADJOURNMENT

At 8:06 P. M., on motion of Mr. Cooper, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, April 4, 1967, at 2 o'clock P. M.

SEVENTEENTH LEGISLATIVE DAY

TUESDAY, APRIL 4, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend H. Mac Johnson, Jr., Pastor, Clayton Street Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE

ON

REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Sixteenth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Branyon:

S. 111. Relating to taxation; further defining terms used in administering state sales and use tax laws with respect to commercial fish feed.

Committee on Finance and Taxation.

By Mr. Radney:

S. 112. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Committee on Judiciary.

By Mr. Turner:

S. 113. To amend further Act No. 106, H. B. 150, Regular Session 1959, an act creating the State Licensing Board for the Healing Arts.

Committee on Public Health.

By Messrs. Goodwyn, Pierce and Harris:

S. 114. To create a Commission on Physical Fitness; to prescribe the powers, duties and authority of the commission and to provide for the selection, term, qualifications, powers, duties, authority and compensation of the members thereof; to provide for the appointment, duties, and compensation of an executive secretary and other employees of the commission.

Committee on Finance and Taxation.

By Mr. Childs:

S. 115. To regulate visiting speakers at state supported colleges and universities.

Committee on Education.

By Mr. Albea:

S. 116. To provide that the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 70,000 nor more than 96,000, according to the last or any subsequent federal decennial census, shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

Committee on Local Legislation No. 1.

By Messrs. Stone, Cooper and McDermott:

S. 117. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, camp sites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet, trap, rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and launderettes provided, however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporation; to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

Committee on Municipalities and
Municipal Organizations.

By Messrs. Gilmore, Vacca, Bailes, Childs, Hawkins and Morrow:

S. 118. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge

\$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00; and Tom Williams \$850.00.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that at the next session of the Legislature of Alabama, whether that session be special or regular session, application will be made to the Legislature for adoption of an Act which will contain the terms set forth in the following bill:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00; and Tom Williams \$850.00.

Be It Enacted by the Legislature of Alabama:

Section 1. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00 and Tom Williams \$850.00.

Section 2. This Act to become effective upon its being signed by the Governor or otherwise becoming law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And

that there was published in said newspaper in the issues of February 25, March 4, 11, 18, 1967, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 20th day of March, 1967.

KAREN W. ABERCROMBIE,
Notary Public.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 4. To alter, rearrange and extend the boundaries of the City of Rainbow City, in Etowah County, Alabama, and to provide for the effective date thereof.

Also:

S. 13. To create in the office of the Attorney General of Alabama the position of Executive Assistant.

Also:

S. 16. To make an appropriation to the office of the Attorney General and to provide for Special Assistant Attorneys General and Investigators.

Also:

S. 17. To make an additional appropriation from the state treasury to the use of the secretary of state for payment of salaries and other expenses.

Also:

S. 18. To make an appropriation to the Governors Office for the purpose of paying contribution to the National Governors Conference.

Also:

S. 19. To make an additional appropriation to the Agricultural Center Board.

Also:

S. 26. To amend the title and Sections 9, 10, 11, 12, 18, 20 and 23 of Act No. 678 adopted at the 1965 Regular Session of the Legislature of Alabama relating to Alabama Corrections Institution Finance Authority so as to increase the maximum amount of the bonds authorized to be issued under the provisions of the said Act, to authorize the pledge and use, for the benefit of temporary loans made and bonds issued under the said Act, of the net proceeds received from the sale or lease of all or any part of the Kilby Prison Property and the revenues from the facilities acquired and constructed with the proceeds of such loans and bonds, and to make other changes in the said Act relating to such bonds and temporary loans and the proceeds thereof.

Also:

S. 42. To provide for operation of a non-profit ambulance service by the City of Prattville and the County of Autauga.

Also:

S. 79. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Also:

S. 87. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

S. 90. Relating to City of Dothan, Houston County; to provide for the relief of City Employee N. N. Newsome, pursuant to Resolution No. 3334 of said City and the concurrence of its Pension Board by allowing credit for prior employment towards retirement.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Snell:

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

Also:

By Mr. Lemley:

H. 163. To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Be It Enacted by the Legislature of Alabama:

Section 1. In Blount County the fee for issuing a license to carry a pistol as provided in Alabama Code Title 14, Section 177 shall be five dollars, which shall be collected by the sheriff and paid by him into the county treasury. Four-fifths of each fee collected shall be deposited to the credit of a special fund, to be designated as the sheriff's law enforcement fund, and the remainder shall be deposited in the county's general fund. The special fund must be used and expended by the sheriff for the employment of personnel, the purchase of equipment, materials and supplies, and for any other lawful purpose related to law enforcement work within the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
BLOUNT COUNTY

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice of proposed legislation was published for four consecutive weeks in said newspaper, commencing on the 23 day of February, 1967, and ending on the 16 day of March, 1967.

MRS. R. M. HOWARD,
Publisher.

Sworn to and subscribed before me this 16 day of March, 1967.

MOLLY RYAN.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 156. To the Committee on Banking.

H. B. 163. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Fite, Bowers, Pennington, Downing, Owen (Baldwin), Tuck, Grayson, Marr, Smith (C), Young, Collins (M), Wood, Collins (C), Edington, Bank, Weeks, Kilgore, Culver, Thomas, Holman, Adwell, House, Waggoner, Cook (Jefferson), Sessions, Meeks, Dill, Yeilding, Crane, Dobbs, Shumate and Pruitt:

H. J. R. 59. WHEREAS, the development of the Tennessee-Tombigbee Waterway project has been an item of interest and concern of both the state and federal governments for a number of years; and

WHEREAS, reports and evaluations of the desirability and economic feasibility of such project have been undertaken and returned with favorable results; and

WHEREAS, the construction and development of such project will entail expenditure of \$316,000,000 or more and will provide a navigable route that will serve to connect the Gulf Coast and the Port of Mobile with the Tennessee Valley and the ten-thousand mile mid-continental inland waterways' system and will result in further stimulus to the industrial growth and development of this state and area; and

WHEREAS, pre-construction planning money has been approved by the Congress of the United States which will be utilized for advanced engineering and design of such project; and

WHEREAS, the beginning of construction at the earliest practicable date is now contingent upon the State of Alabama agreeing to provide and meet its share of the cost involved in such project by agreeing, through its own agencies or local interests, to construct, maintain and operate all highway bridges; construct and maintain all highway relocations or alterations; make and maintain alterations as required in sewer, water supply and drainage facilities; assume the cost of operation and maintenance of utility crossings; and provide and maintain, as required, suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers, as such items are related to this project; and

WHEREAS, it is in the economic interest of this state to participate in such project along with the States of Mississippi, Tennessee and Kentucky and to expedite the development and construction of the needed facilities,

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, that this Legislature does hereby agree and does assure the United States government, through the United States Army Corps of Engineers, that the State of Alabama will, through its own agencies or other local interests, construct, maintain and operate all highway bridges; construct and maintain all highway relocations or alterations; make and maintain alterations as required in sewer, water supply and drainage facilities; assume the cost of operation and maintenance of utility crossings; and provide and maintain, as required, suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers, as such items are related to this project and further, at the appropriate time and if required, that any necessary legislation will be prepared, introduced and adopted to carry into effect the assurances here given.

BE IT FURTHER RESOLVED that a copy of this resolution be furnished the United States Army Corps of Engineers, the Tennessee-Tombigbee Waterway Development Authority and the appropriate agencies of the States of Mississippi, Tennessee and Kentucky.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Engel, the Rules were suspended and the Resolution, H. J. R. 59, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Weeks, Fite, Adwell, Agee, Bank, Bassett, Beck, Berryman (R), Berryman (W), Blanton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Gafford, Garrett, Gloor, Graham, Grayson, Hain, Harper, Harris, Haygood, Headley, Higginbotham, Hobbie, Holman, House, Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McElhaney, Meade, Meeks, Melton, Merrill, Money, Neville, Owen (Baldwin), Owens (W), Pearson, Pennington, Pruitt, Sessions, Shumate, Slate, Smith (C), Snell, Snodgrass, Springer, Starnes, Steagall, Stenbridge, Stubbs, Thomas, Waggoner, Williams, Wood, Wright, Yeilding and Young.

H. J. R. 60. WHEREAS figures, compiled by the Department of Defense for the fiscal year 1966, show that of the 4,873 servicemen who lost their lives in the fight for freedom in Vietnam during the period, 20.4 percent were buried in national cemeteries. Many more would probably have also been buried in a national cemetery had there been space available near the home of next of kin; and

WHEREAS over the past three years there has been a determined effort on the part of some federal agencies to sharply curtail or eliminate altogether further provisions for national cemeteries. The Bureau of the Budget has stated unequivocally, "We continue to believe that expansion of the national cemetery is undesirable. The Administration firmly believes that funeral benefits now paid by the Veterans Administration and under Social Security are far preferable to the furnishing of interment facilities by the Government. Legislation to this end would not be in accord with the program of the President"; and

WHEREAS present day burial expenses are sufficiently high without placing on the veteran's and serviceman's dependent the added cost of purchasing a burial plot; and

WHEREAS the burial allowances of the Veterans Administration and that provided under Social Security are far too meager to provide for the last rites of most veterans and servicemen; and

WHEREAS the Department of the Army has advised Congress that, "The Administration has determined that it is opposed to any further expansion of the present national cemetery system with the exception of Arlington National Cemetery;" and

WHEREAS it is evident that the present Administration is determined to end the national cemetery system just as soon as present facilities are exhausted. This procedure is a rank departure from the long-time precedent that veterans who have served their nation in time of war are entitled to burial sites provided by the United States government; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge the Congress of the United States to take such action as necessary to forestall the present plans of the Bureau of the Budget and the Administration, and to oppose the position of the Department of Defense which supports the Administration's policy of no further expansion of the national cemetery system, with the exception of the Arlington National Cemetery, as many national cemeteries have already exhausted available space and several others are scheduled for closing this year; and

BE IT FURTHER RESOLVED, That the Department of Defense be requested to establish an adequate and permanent national cemetery system to make national cemeteries available with burial spaces for all U. S. military servicemen and women who are entitled to the same, and wish to be interred there; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the secretary of the United States Senate, and chief clerk of the United States House of Representatives and to The Honorable Lyndon B. Johnson, President of the United States; The Honorable Robert S. McNamara, Secretary of Defense; The Honorable Charles L. Schultz, Director, Bureau of the Budget; and each member of the Alabama delegation in the United States Congress.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Rules were suspended and the Resolution, H. J. R. 60, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 61. WHEREAS, it is the policy of the State of Alabama to foster and promote the education of its citizens in a manner and extent consistent with its available resources, and the willingness and ability of the individual student, and

WHEREAS, the Legislature, while recognizing this duty, also recognizes that there is no right to public education at public expense, and

WHEREAS, the Legislature has the right and the duty, in furthering or providing for education, to require or impose conditions or procedures deemed necessary to the preservation of peace and order, and

WHEREAS, the Legislature may provide for the election by parents and guardians of the schools their children will attend, to avoid confusion and disorder and to promote effective and economical planning for education, and

WHEREAS, as a result of two recent decisions by Federal Courts, the school system of the State of Alabama will be placed in serious jeopardy, and

WHEREAS, our Governor, Her Excellency Lurleen B. Wallace has requested that the Legislature hold public hearings on this question to determine the future of public education in Alabama, and

WHEREAS, the Legislature deems it necessary to hold public hearings and to call upon leading educators, public officials, parents, and other experts to testify regarding the emergency situation which presently exists regarding public education in the State of Alabama, and

WHEREAS, the emergency is of such magnitude that it is deemed wise that these hearings should be conducted by the entire Legislature meeting as a committee,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses thereof concurring, that the Legislature convene as a committee to conduct public hearings upon the call of the Lieutenant Governor of the State of Alabama, who shall act as chairman and that the Legislature invite to testify before the Committee the State Superintendent of Education, the Presidents of the State's institutions of Higher learning, the directors of Trade Schools, Local superintendents of education and board members, interested citizens and members of educational associations.

BE IT FURTHER RESOLVED that said hearings be transcribed and that the Lieutenant Governor, Speaker of the House and four other members from each House as may be selected by the Lieutenant Governor and the Speaker of the House respectively shall be appointed to act as Committee Counsel, without additional remuneration, and that the Lieutenant Governor, the Speaker of the House and the members selected by them to act as counsel shall be the only persons with authority to question any witness, but other members may direct questions to be propounded to the witness to said Lieutenant Governor, the Speaker of the House and those selected by them to act as Counsel and such Counsel may propound any such question to the witness. Any member of the Legislature, however, may make any statement he desires, if recognized by the Chairman of the Committee.

BE IT FURTHER RESOLVED that the Attorney General of the State of Alabama be invited to attend these hearings and to offer his counsel and assistance to the Committee.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, unanimous consent was granted to suspend the Rules and the Resolution, H. J. R. 61, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 62. WHEREAS, the Honorable MacDonald Gallion, Attorney General of the State of Alabama, is calling upon the Attorneys

General of the States of Texas, Louisiana, Mississippi, Georgia, and Florida to come to Montgomery and discuss the impact of the recent decision of the Fifth Circuit Court of Appeals compelling "balance" in the school systems of the respective States, and to discuss the possibility of the various States joining in an appeal of said case to the Supreme Court of the United States, and

WHEREAS, the Legislature of the State of Alabama is hopeful that the Attorneys General of the States of Texas, Louisiana, Mississippi, Georgia, and Florida will respond to the call of the Attorney General of Alabama to discuss this emergency situation,

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, that Attorney General MacDonald Gallion is hereby commended for inviting the Attorneys General to the State of Alabama.

BE IT FURTHER RESOLVED that the Legislature does hereby invite said Attorneys General to appear before a committee of the Legislature studying the effect of this decision on the schools of Alabama and to testify before said committee if they so desire.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Rules were suspended and the Resolution, H. J. R. 62, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McDonald:

H. J. R. 63. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the Joint Interim Committee created pursuant to Senate Joint Resolution 3, Special Session, 1966, be and the same is hereby granted an extension of time in which to file its detailed report of its findings to the Alabama Legislature and the Committee shall continue until such time as it has completed its detailed technical study; provided, however, interim reports are hereby authorized and directed to be submitted to the Legislature pending completion of the final report.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Branyon, the Rules were suspended and the Resolution, H. J. R. 63, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (P) and Bolton:

H. 65. To make a further and additional appropriation of \$44,000 to the Department of Adult Blind of the Alabama Institute for Deaf and Blind.

Also:

By Messrs. Brown, Culver, Bank and Thomas:

H. 110. To make an additional appropriation to the Board of Chiropractic Examiners.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 65 and 110. To the Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Marr:

H. 153. Relating to costs and fees in criminal cases, providing for assessment of counsel fees as court costs in certain cases.

By Mr. Turner:

S. 82. To further amend Sections 18, 20 and 21 of Title 30, Code of Alabama 1940, which relate to the duties of the clerk of jury commissions and qualifications of persons on jury rolls.

By Messrs. Cook and Steagall:

H. 26. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Carr (with amendment):

S. 108. To authorize all counties, all municipalities and all public hospitals in the state to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve counties, municipalities and public hospitals furnishing such service from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Giles:

S. 110. To authorize and permit grocery stores to remain open on Sunday in each county in the State having a population of not less than 110,000 nor more than 160,000, according to the last or any succeeding federal census, provided any such grocery store does not have on duty in such stores more than two employees at any one time on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

By Mr. Hogan et al:

H. 55. To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

By Messrs. Lybrand, Merrill and Burgess:

H. 179. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Owens (W):

H. 181. Providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews (with amendment):

H. 182. To apply only in counties having populations of not more than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Beck, Williams and Meade:

H. 185. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the Counties composing such Judicial Circuits.

By Messrs. Brassell and Higginbotham (with notice and proof):

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

By Mr. Brassell (with notice and proof):

H. 189. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

By Mr. Brassell (with notice and proof):

H. 190. To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

By Mr. Brassell (with notice and proof):

H. 191. Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

By Mr. Brassell (with notice and proof):

H. 192. Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

By Mr. Brassell (with notice and proof):

H. 193. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

By Messrs. Brassell and Higginbotham (with notice and proof):

H. 194. Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

By Mr. Brassell (with notice and proof):

H. 195. To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

By Mr. Brassell (with notice and proof):

H. 196. Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

By Mr. Brassell (with notice and proof):

H. 197. To provide for compensation of jurors in Russell County.

By Messrs. Shumate and Dobbs (with notice and proof):

H. 198. Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

By Messrs. Meade, Beck and Williams:

H. 203. To provide for an expense allowance for the District Attorney of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

RESOLUTIONS

Mr. Radney offered the following Senate Joint Resolution, to-wit:

S. J. R. 34. WHEREAS Mr. Robert Inman, highly capable newscaster of WSFA-TV, will be married to Miss Paulette Strong on Saturday, April fifteenth in Trinity Methodist Church in Homewood; and

WHEREAS Miss Strong, who is the lovely daughter of Mr. and Mrs. Paul Strong of Birmingham, is currently employed in Montgomery with the Southern Bell Company as school representative; and

WHEREAS Mr. Inman, who is the son of Mr. and Mrs. Louis Frederick Inman of Elba, has been employed with WSFA-TV for the past two years where his personable manner and articulate effectiveness have won for him much favorable recognition; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Bob upon the occasion of his approaching marriage, and wish for the future Mr. and Mrs. Inman every happiness in the years to come.

RESOLVED FURTHER that copies of this resolution be sent to Mr. Inman and to station WSFA-TV.

On motion of Mr. Radney, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Radney offered the following Senate Joint Resolution, to-wit:

S. J. R. 35. WHEREAS Alabama is fortunate in being represented in the Senate of the Congress of the United States by two outstanding leaders, Senators Hill and Sparkman; and

WHEREAS Senator Hill from Montgomery is the fourth ranking member of the Senate from the point of continuous service. He was first appointed to the Senate in January 1938, was elected to fill the vacancy of an unexpired term ending in January 1939, and has been

reelected for every term since that time. Prior to Senator Hill's service in the Senate, he was elected to fill a vacancy in the House of Representatives in the Sixty-eighth Congress and was renominated and reelected without opposition in the seven succeeding sessions of Congress until he resigned to become a member of the Senate; and

WHEREAS Senator Hill's long tenure of service and devotion to duty have gained him such respect from his colleagues as to place him in one of the most influential and powerful positions in the Senate. He is Chairman of the Standing Committee on Labor and Public Welfare and member of the Standing Committee on Appropriations. He is also a member of the Select and Special Committee on Democratic Policy. His interest and influence in the building of public hospitals under the Hill-Burton Act are renowned; and

WHEREAS Senator Sparkman of Huntsville was first elected to Congress as a member of the House of Representatives in November 1936, was reelected for five successive terms during which time he served with notable distinction, was a member of the Military Affairs Committee and served as majority whip. In November 1946, he was elected to the Senate to fill the unexpired term of the late Senator John Bankhead. Following his election he resigned from the House to enter upon his duties in the Senate and has been reelected to that body for each successive term. His outstanding abilities of leadership and devotion to the principles of the Democratic Party placed him on the 1952 ticket as candidate for Vice-President of the United States; and

WHEREAS Senator Sparkman is the twelfth ranking member of the Senate from the point of continuous service. He is the Chairman of the Standing Committee on Banking and Currency and second ranking member of the Standing Committee on Foreign Relations. He is a member of the Joint Committees on Defense Production, Organization of the Congress, and Economics. He is Chairman of the Select and Special Committee on Small Business; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this State commends Senator Hill and Senator Sparkman for their long and distinguished careers in the Congress of the United States, and acknowledges with grateful appreciation their arduous devotion to duty and effective leadership in furthering the principles of democracy of Alabama and this country.

RESOLVED FURTHER, That copies of this resolution be sent to Senator Hill and Senator Sparkman.

On motion of Mr. Radney, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Pelham, Engel and McDermott offered the following Senate Joint Resolution, to-wit:

S. J. R. 36. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby salutes The Honorable Joseph R. Mitternight on his eightieth birthday and extends to him felicitations. During Mr. Mitternight's long and distinguished career in public service he has worked diligently toward promoting the economic expansion, the full development and the general welfare of the Gulf Coast area of Alabama, where he is a popular and outstanding civic and political leader. Among the public offices which he has ably filled are positions on both the county governing body of Mobile County and the city commission of the City of Mobile. Though Mr. Mitternight has now retired and no longer holds a public office, his influence is still felt and his many

contributions to his community and this State are remembered with grateful appreciation by his many friends and admirers.

BE IT FURTHER RESOLVED That a duly authenticated copy of this resolution be sent to Mr. Mitternight.

On motion of Mr. Pelham, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Engel, McDermott and Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 37. WHEREAS, a tragic accident occurred near Mobile on March 16 in which one victim was killed and another seriously injured;

WHEREAS, the injured man is alive today only because Dr. J. B. Davis, a young doctor who happened upon the scene shortly after the accident, kindly stopped to see if he could help, and, realizing the exigencies of the situation, promptly performed a tracheotomy with an ordinary pocket knife and inserted an improvised breathing tube thereby saving the life of this young man;

WHEREAS, this young doctor, not only rendered first aid at the scene of the accident, but even abandoned his own car on the highway and rode in the ambulance to the hospital with the injured person in order to continue the needed first-aid treatments and care essential to saving this life; and

WHEREAS, we frequently read of instances in other states where doctors, though anxious to render all the aid they can, under similar circumstances have not done so because of fear of incurring liability in unreasonable amounts for civil damages growing out of the aid rendered; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby commends Dr. Davis for this humanitarian deed in stopping to offer aid at the scene of this accident, evaluating the situation and unhesitatingly and skillfully performing the emergency surgery needed to save this life, then carrying through with his aid until the injured man was hospitalized.

BE IT FURTHER RESOLVED That we rejoice that Alabama is a place where doctors can with impunity follow their natural impulse to stop at the scene of an accident and render aid, for the 1966 Legislature of Alabama enacted the "Good Samaritan Law," exempting doctors and certain other persons from liability for civil damages growing out of emergency care rendered at the scene of an accident.

On motion of Mr. Engel, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Engel, McDermott and Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 38. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we lament the untimely death of the Honorable Charles S. Trimmier, a former member of this body. Mr. Trimmier was a native of Illinois who after becoming a citizen of this State contributed much toward the welfare, growth and development of Alabama and particularly of the Gulf Coast region thereof, where he took a very active part in the political and religious life of the area. He was a minister and the founder and for several years director of the non-denominational Mobile Men's Medita-

tion. He served as a chaplain in the armed forces during the Korean Conflict and also as a chaplain of the Alabama Department of the American Legion. While serving as a representative from Mobile County in the Legislature he was elected to the City Commission of Mobile and during a part of his term on this commission he served as Mayor of the City. His many good deeds and his able and conscientious public service are hereby noted with appreciation.

BE IT FURTHER RESOLVED That the sincere sympathy of this body is extended to the surviving members of Mr. Trimmier's family.

On motion of Mr. Engel, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 1. Relating to Autauga County; levying a county license or excise tax upon the sale, distribution, delivery, storage or taking out of storage of malt or brewed beverages; fixing the amount of such tax; providing for the manner of its payment and collection and the use of its proceeds; prescribing penalties for violations; and providing otherwise for the administration of the act.

was taken up.

Mr. McCarley offered the following substitute for the Bill, to-wit:
Substitute for H. 1

A BILL TO BE ENTITLED AN ACT

To authorize the Board of Revenue or like governing body of Autauga County to levy a privilege or license tax on persons, firms and corporations, selling, distributing, or delivering any malt or brewed beverages to retailers in Autauga County; to authorize the Board of Revenue or like governing body of Autauga County to collect the tax, and to authorize the Board of Revenue to make rules and regulations to govern enforcement and collection of the tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue or like governing body of Autauga County may levy a privilege or license tax on all persons, firms and corporations, selling, distributing or delivering to retailers in Autauga County any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) which tax shall be in an amount equal to three cents (\$.03¢) on each twelve (12) fluid ounces or fractional part thereof, sold or distributed within the County; one cent (\$.01¢) on each twelve (12) fluid ounces or fractional part thereof sold or distributed within any incorporated municipality within the County; and two cents (\$.02¢) on each twelve (12) fluid ounces or fractional part thereof sold or distributed within the police jurisdiction of any incorporated municipality within the County.

Section 2. The privilege or license tax authorized by this Act shall be collected by or under the supervision of the Board of Revenue or like governing body of Autauga County. The Board of Revenue or like governing body of Autauga County may provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax authorized by this Act, and may also provide

reasonable compensation to sellers and distributors of malt or brewed beverages for the expenses of compliance with such rules and regulations. The Board of Revenue or like governing body may employ such personnel as may be needed to collect and enforce the tax and shall fix their compensation and tenure. Each municipality within the County shall provide aid and assistance in enforcing the tax herein authorized within its territory.

Section 3. Any person, firm, or corporation who violates any provision of this Act or the rules and regulations as may be provided by the Board of Revenue or like governing body of Autauga County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute as separate offense.

Section 4. Any person, firm or corporation who fails to pay the tax herein levied within the time prescribed by this Act shall pay, in addition to the tax, a penalty of ten per cent (10%) of the amount of tax, together with interest thereon at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied became payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective on the first day of the first month immediately after its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney
Branyon	Givhan	Morrow	Skidmore
Carr	Goodwyn	Nabors	Stone
Childs	Harris	O'Bannon	Torbert
Clark	Hawkins	Oden	Turner
Cooper	Jackson	Pierce	Vacca
Dominick	Lindsey		

—25

Nays:

—0

And said Bill, H. B. 1, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney
Branyon	Givhan	Morrow	Skidmore
Carr	Goodwyn	Nabors	Stone
Childs	Harris	O'Bannon	Torbert
Clark	Hawkins	Oden	Turner
Cooper	Jackson	Pierce	Vacca
Dominick	Lindsey		

—25

Nays:

—0

The Bill:

H. 119. Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, providing for the disposition and use of such fees, and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Jackson	Morrow	
Adams	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Givhan	McCarley	Skidmore	
Carr	Harris	McDermott	Stone	
Childs	Hawkins			—25

Nays:

—0

SENATE COUNSEL APPOINTED FOR COMMITTEE OF WHOLE

In accordance with the provisions of H. J. R. 61, the President and Presiding Officer of the Senate appointed as Committee Counsel on part of the Senate Messrs. Bailes, Pelham, Turner and Goodwyn.

LIEUTENANT GOVERNOR ANNOUNCES MEETING OF COMMITTEE OF WHOLE

In accordance with the provisions of H. J. R. 61, the Lieutenant Governor and President and Presiding Officer of the Senate called a meeting of the Committee of the Whole Legislature at 2 o'clock P. M., Wednesday, April 5, 1967, in the House Chamber.

MOTION TO ADJOURN LOST

At 3:48 P. M., Mr. Morrow moved that the Senate adjourn until Wednesday, April 5, 1967, at 1 o'clock P. M., which motion was lost.

UNFINISHED BUSINESS

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 14. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds

and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

The question was on the substitute offered by Mr. Torbert, for the Bill, S. B. 14, which said substitute is set out at length in the Journal of the Senate for the Twelfth Legislative Day.

Mr. Morrow moved that further consideration of the Bill, S. B. 14 and pending substitute, be postponed until the next Legislative Day. Mr. Torbert moved that the motion to postpone be laid on the table, which resulted in a tie vote.

Yeas 17; Nays 17.

Yeas:

Messrs.:	Folsom	Lindsey	Radney
Branyon	Giles	Lolley	Stone
Carr	Givhan	McCarley	Torbert
Clark	Jackson	Oden	Turner
Cooper	Leonard		

—17

Nays:

Messrs.:	Dominick	McDermott	Pelham
Adams	Engel	Morrow	Pierce
Albea	Gilmore	Nabors	Skidmore
Bailes	Goodwyn	O'Bannon	Vacca
Childs	Hawkins		

—17

The President and Presiding Officer of the Senate voted "Aye"; therefore, the motion to table prevailed.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. J. R. 3	Delivered to the Governor March 17, 1967, at 10:35 A. M.
S. J. R. 5	Delivered to the Governor March 17, 1967, at 10:35 A. M.
S. J. R. 10	Delivered to the Governor March 17, 1967, at 10:35 A. M.
S. J. R. 6	Delivered to the Governor March 17, 1967, at 10:35 A. M.
S. J. R. 7	Delivered to the Governor March 17, 1967, at 10:35 A. M.
S. J. R. 8	Delivered to the Governor March 17, 1967, at 10:35 A. M.
S. J. R. 9	Delivered to the Governor March 17, 1967, at 10:35 A. M.
S. J. R. 14	Delivered to the Governor March 17, 1967, at 10:35 A. M.
S. J. R. 15	Delivered to the Governor March 17, 1967, at 10:35 A. M.

- S. J. R. 17 Delivered to the Governor March 17, 1967, at 10:35 A. M.
 S. J. R. 18 Delivered to the Governor March 17, 1967, at 10:35 A. M.
 S. J. R. 4 Delivered to the Secretary of State March 17, 1967, at 10:30 A. M.
 S. J. R. 13 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. J. R. 20 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. J. R. 22 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. J. R. 23 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. J. R. 26 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. J. R. 27 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. J. R. 30 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 7 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 12 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 20 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 22 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 43 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 50 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 51 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 53 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 54 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 8 Delivered to the Governor March 30, 1967, at 7:15 P. M.
 S. B. 9 Delivered to the Governor March 30, 1967, at 7:15 P. M.

McDOWELL LEE,
 Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 4:28 P. M., Mr. Morrow moved that the Senate adjourn until Wednesday, April 5, 1967, at 1 o'clock P. M.

Mr. Cooper moved as a substitute motion that the Senate adjourn until Wednesday, April 5, 1967, at 11 o'clock A. M., which motion was lost.

Yeas 16; Nays 18

Yeas:

Messrs.:
 Adams
 Branyon
 Clark
 Cooper

Folsom
 Giles
 Givhan
 Jackson

Leonard
 Lindsey
 Lolley
 McCarley

Oden
 Stone
 Torbert
 Turner

Nays:

Messrs.:	Dominick	McDermott	Pierce
Albea	Engel	Morrow	Radney
Bailes	Gilmore	Nabors	Skidmore
Carr	Harris	O'Bannon	Vacca
Childs	Hawkins	Pelham	—18

The question then recurred on the motion of Mr. Morrow, and at 4:30 P. M., pending further consideration of the Bill, S. B. 14, the Senate adjourned until Wednesday, April 5, 1967, at 1 o'clock P. M.

EIGHTEENTH LEGISLATIVE DAY

WEDNESDAY, APRIL 5, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Gerald Maddox, Associate Pastor, Capitol Heights Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson		—33

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventeenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Seventeenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams and Oden for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 59. Relative to the development of the Tennessee-Tombigbee Waterway project.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Owen (Baldwin) and Brannan:

H. 3. Authorizing the Director of Conservation to expend from any refunded Bureau of Outdoor Recreation monies a sum not exceeding fifty thousand dollars (\$50,000.00) for the purpose of additional construction and equipping of a public fishing pier at Gulf State Park; and to further authorize the Director of Conservation to transfer said monies not exceeding fifty thousand dollars (\$50,000.00) to the State Building Commission for such construction and equipping purposes.

Also:

By Messrs. Perloff, Smith (C), Wood, Collins (W), Collins (C) and Grayson:

H. 167. To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the police and fire departments of the city (Acts, Special Sessions 1964, P. 326) is hereby amended to read as follows:

"Section 9. (a) The Board of Commissioners or other governing body of the City shall create a Board to carry out the provisions of this act, which shall be designated 'The Board of Policemen's and Fire Fighter's Pensions of the City of Mobile', hereinafter called 'The Board.' The board shall consist of five reputable persons who are bona fide residents of the City of Mobile, over the age of 21, who do not hold any salaried office with the city or county of Mobile. One active member of Mobile's police department, and one active member of the Mobile fire department shall also serve as members of the Board. Members of the Board shall hold office for six years and until their successors are appointed, unless sooner removed at any time for good cause by the appointing authority. No member of the board shall receive any compensation for this.

"(b) The Board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Four Members of the Board shall constitute a quorum for transaction of business.

"(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings, which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

"(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section 22 hereof and shall perform such other duties as may be prescribed by the Board.

"(e) The Chairman of the Board of Pensions shall provide bond in the penal sum of \$25,000 conditioned upon faithful performance of his duties, the premium of which shall be paid by the City of Mobile from the General Fund.

"(f) All applications for pensions and relief under this Act shall be heard and determined by the Board of Pensions.

"(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term."

Section 2. Section 27 of said Act No. 243 of 1964 is amended to read as follows:

"Section 27. This Act shall not have retroactive application. The provisions of Section 16 of this Act shall not apply to the widow or the surviving children of a member of the police or fire department who died or retired before Oct. 1, 1964."

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Feb. 28, March 7, 14, 21, 1967.

E. E. KOCH.

Sworn to and subscribed before me this 21 day of March 1967.

W. F. EGAN,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 3. To the Committee on Finance and Taxation

H. B. 167. To the Committee on Local Legislation No. 1

REPORTS OF COMMITTEES

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams (with amendment):

S. 106. To amend further Code of Alabama Title 17, Section 272, relating to permissible political campaign expenditures.

Mr. Bailes, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Neville et al:

H. 146. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to permit certain spouses of certain students to vote in such elections.

By Mr. Garrett:

H. 169. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of intention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Albea:

S. 116. To provide that the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 70,000 nor more than 96,000, according to the last or any subsequent federal decennial census, shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

By Mr. Lemley (with notice and proof):

H. 163. To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Mr. Stone, Chairman of the Standing Committee on Aviation and Traffic, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Drake, McDonald, Starnes and Ellis:

H. 31. To require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Gilmore, Vacca, Bailes, Childs, Hawkins and Morrow (with notice and proof):

S. 118. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jakie Wayton \$704.00; and Tom Williams \$850.00.

Mr. McDermott, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Ses-

sion, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Stone, Cooper and McDermott:

S. 117. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, camp sites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet, trap, rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and launderettes provided, however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporation; to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

RESOLUTIONS

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

JOINT RESOLUTION CREATING AN INTERIM COMMITTEE

S. J. R. 39. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That there shall be a joint

interim committee on agriculture to meet on call of its chairman during the interim between the date of passage of this resolution, and the tenth legislative day of the 1969 regular legislative session, which shall make a study of the condition of agriculture in the state, hold hearings, inquire into ways and means of improving agriculture, agricultural marketing, and business and industry based on agriculture in the state, and report its findings, conclusions, and recommendations to the Governor and to each house of the Legislature at the 1969 regular session, and to any intervening regular or special session.

The committee shall consist of the members of the House Committee on Agriculture and the members of the Senate Committee on Agriculture. The chairman of the House Committee on Agriculture shall be chairman of the interim committee and the chairman of the Senate Committee on Agriculture shall be co-chairman of the interim committee.

The chairman of the committee, with the approval of the co-chairman, shall set the schedule and program for committee work, shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee, and may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work.

Which was read and referred to the Standing Committee on Rules.

Messrs. Lolley, Cooper and Engel offered the following Senate Joint Resolution, to-wit:

S. J. R. 40. WHEREAS, the legislature of the State of Alabama authorized the establishment of the University of South Alabama in Mobile, Alabama by Act No. 157 signed May 3, 1963 and

WHEREAS, the legislature in establishing the University intended that it not only perform all functions, provide courses of study, libraries and laboratories, and grant degrees in traditional fields of study, but that it also intended that the University should serve the State and region by providing facilities and staff to perform research in fields that, by virtue of its location, it is uniquely qualified to perform, and

WHEREAS, the University of South Alabama has since its inception, planned for a major program in the Marine Sciences and has implemented this plan within the limitations of its budget and facilities, and

WHEREAS, THE University largely has based its application for the \$20,000,000 Brookley Air Force Base facility on a strong Marine Sciences program, including the various sciences concerned with Oceanography, and

WHEREAS, the 89th Congress of the United States enacted P. L. 89-688, Title II Sea Grant Colleges and Programs, which provides for major financial assistance for research concerned with the development of Marine resources and which ultimately will result in designation of appropriate institutions as "Sea Grant Colleges", now

BE IT RESOLVED, that the legislature of the State of Alabama by virtue of the University of South Alabama's (1) contiguity and ready access to Alabama's Marine resources, (2) endorsement by concerned planning bodies and Federal Agencies to receive at no cost to the State of Alabama extensive facilities at Brookley Air Force Base for marine research, (3) already substantial investment of State and Federal funds in faculty and laboratory facilities and equipment for marine research and (4) strong desire to secure the Sea Grant College designation, hereby endorses the University of South Alabama's effort to develop a major program of teaching and research in the Marine Sciences.

On motion of Mr. Lolley, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Torbert offered the following Senate Resolution, to-wit:

S. R. 41. WHEREAS, Auburn University students hold the world record in the giving of blood, set in 1966, with a total of 3,507 pints, and have given a total of 15,363 pints of blood since 1952 in support of the Korean War, the Salk Polio Research Program and now the Vietnam War; and

WHEREAS, the Auburn University students are now participating in another drive on April 5 and 6, with a goal of 4,000 pints of blood which, if successful, will further add to their already now outstanding record, which drive has the full support of the Auburn University administration and faculty; and

WHEREAS, this effort on the part of university students is in high contrast to demonstrations at other institutions opposing our country's efforts in Vietnam; and

WHEREAS, this program for the relief of human suffering and in support of our fighting forces in Vietnam is in the highest tradition of student leadership, setting an example for the entire nation; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, that we proudly commend and congratulate the administration, faculty and student body of Auburn University for their outstanding record, and we further commend and wish them well as they attempt to surpass their own world record.

BE IT FURTHER RESOLVED that copies of this resolution be sent the president of Auburn University, the president of the student body, and the editor of the campus newspaper.

On motion of Mr. Torbert, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 42. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, April 5, they adjourn to meet again on Thursday, April 6, and that when they adjourn on Thursday, April 6, they adjourn to meet again on Tuesday, April 11, 1967.

On motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 110. To authorize and permit grocery stores to remain open on Sunday in each county in the State having a population of not less than 110,000 nor more than 160,000, according to the last or any succeeding federal census, provided any such grocery store does not have on duty in such stores more than two employees at any one time on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce
Albea	Giles	McCarley	Radney
Bailes	Givhan	McDermott	Skidmore
Branyon	Goodwyn	Morrow	Stone
Carr	Harris	Nabors	Torbert
Childs	Leonard	Pelham	Turner
Clark	Lindsey		

—25

Nays:

—0

The Bill:

H. 55. To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Radney
Albea	Engel	Lolley	Skidmore
Bailes	Giles	McDermott	Stone
Branyon	Gilmore	Nabors	Torbert
Carr	Givhan	O'Bannon	Turner
Childs	Jackson	Pelham	Vacca
Clark	Leonard		

—25

Nays:

—0

The Bill:

H. 179. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Nabors
Albea	Folsom	Lindsey	Pelham
Branyon	Giles	Lolley	Pierce
Carr	Gilmore	McCarley	Radney
Childs	Givhan	McDermott	Skidmore
Clark	Goodwyn	Morrow	Stone
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 181. Providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	O'Bannon	
Albea	Folsom	Lolley	Skidmore	
Branyon	Giles	McCarley	Stone	
Childs	Givhan	McDermott	Torbert	
Clark	Harris	Morrow	Turner	
Cooper	Hawkins	Nabors	Vacca	
Dominick	Jackson			—25

Nays:

—0

The Bill:

H. 182. To apply only in counties having populations of not more than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, to-wit:

Amend House Bill 182 as follows: In the first line of Section 1, add the word "not" between the words "of more".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Branyon	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Pelham	Turner	
Cooper	Jackson	Pierce	Vacca	
Dominick	Leonard			—25

Nays:

—0

And said Bill, H. B. 182, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Radney	
Branyon	Givhan	Morrow	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Childs	Harris	O'Bannon	Torbert	
Clark	Hawkins	Pelham	Turner	
Cooper	Jackson	Pierce	Vacca	
Dominick	Leonard			—25

Nays:

—0

The Bill:

H. 185. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the Counties composing such Judicial Circuits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pelham	
Albea	Giles	McCarley	Pierce	
Bailes	Goodwyn	McDermott	Radney	
Clark	Harris	Morrow	Stone	
Cooper	Hawkins	Nabors	Turner	
Dominick	Jackson	O'Bannon	Vacca	
Engel	Lindsey			—25

Nays:

—0

The Bill:

H. 198. Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lolley	Pelham	
Albea	Gilmore	McCarley	Pierce	
Bailes	Givhan	McDermott	Radney	
Branyon	Goodwyn	Morrow	Skidmore	
Carr	Harris	Nabors	Turner	
Childs	Leonard	O'Bannon	Vacca	
Clark	Lindsey			—25

Nays:

—0

The Bill:

H. 203. To provide for an expense allowance for the District Attorney of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:
Albea
Bailes
Branyon
Carr
Cooper
DominickEngel
Folsom
Giles
Gilmore
Givhan
Hawkins
JacksonLeonard
Lindsey
Lolley
McCarley
McDermott
O'BannonPelham
Pierce
Radney
Stone
Turner
Vacca

—25

Nays:

—0

COMMITTEE OF THE WHOLE LEGISLATURE

At 1:40 P. M., on motion of Mr. Cooper, the Senate retired to the Hall of the House of Representatives for the purpose of resolving itself into a Committee of the Whole Legislature.

The Committee of the Whole Legislature having completed its business at the present time, the Senate returned to its Chamber and was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:
Albea
Bailes
Branyon
Carr
Childs
Clark
Cooper
DominickEngel
Folsom
Giles
Gilmore
Givhan
Goodwyn
Harris
Hawkins
JacksonLeonard
Lindsey
Lolley
McCarley
McDermott
Morrow
Nabors
O'BannonPelham
Pierce
Radney
Skidmore
Stone
Torbert
Turner
Vacca

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REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

- S. B. 4. Delivered to the Governor April 5, 1967, at 2:00 P. M.
- S. B. 13. Delivered to the Governor April 5, 1967, at 2:00 P. M.
- S. B. 16. Delivered to the Governor April 5, 1967, at 2:00 P. M.
- S. B. 17. Delivered to the Governor April 5, 1967, at 2:00 P. M.
- S. B. 18. Delivered to the Governor April 5, 1967, at 2:00 P. M.
- S. B. 19. Delivered to the Governor April 5, 1967, at 2:00 P. M.
- S. B. 26. Delivered to the Governor April 5, 1967, at 2:00 P. M.
- S. B. 42. Delivered to the Governor April 5, 1967, at 2:00 P. M.
- S. B. 79. Delivered to the Governor April 5, 1967, at 2:00 P. M.

S. B. 87. Delivered to the Governor April 5, 1967, at 2:00 P. M.

S. B. 90. Delivered to the Governor April 5, 1967, at 2:00 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 7:07 P. M., on motion of Mr. McCarley, pending further consideration of the Bill, S. B. 14, and in accordance with Joint Resolution heretofore adopted by the Senate, the Senate adjourned until Thursday, April 6, 1967, at 10 o'clock A. M.

NINETEENTH LEGISLATIVE DAY

THURSDAY, APRIL 6, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Mr. Dabney Phillips, Minister, Cloverdale Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins		

—33

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Eighteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Eighteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Leonard and Radney for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wright, Malone and Owens (W.E.):

H. 186. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws, including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

Also:

By Mr. Malone:

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Gadsden in Etowah County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, a tract of land more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, Township 12 South, Range 6 East, Etowah County, Alabama, and

thence run in a Westerly direction and along the North line of said forty a distance of 1214 feet to a point thence deflect 90 degrees 15 minutes to the left and run 35 feet to the point of intersection of the South line of Fourth Street with the Northeasterly line of Paden Road; thence deflect 145 degrees 55 minutes to the left and run along the Northeasterly line of Paden Road for a distance of 1469.3 feet to a point in the East line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, section 23; thence deflect 124 degrees 20 minutes to the left and run along the East line of said forty for a distance of 858.1 feet to the point of beginning. The above described property lies in and forms a portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, Township 11 South Range 6 East, Etowah County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared Ann E. Stanfield, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times to make this affidavit;

That there is glued to said a fidavit notice of the Legal Ad, which notice was printed in The Gadsden Times in its regularly circulated editions on March 4, 11th, 18, and 25th 1967, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 27th day of March, 1967.

ANN E. STANFIELD.

Subscribed and sworn to before me on this the 27th day of March, 1967.

WALTER BETZ,
Notary Public,
Etowah County, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 186. To the Committee on Finance and Taxation.

H. B. 200. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from Her Excellency, the Governor, proposing an amendment to the bill, H. 72, said Governor's message being in words and figures as follows, to wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill No. 72, with a suggested executive amendment.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

April 5, 1967

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 72, without my approval and with a suggested executive amendment.

It is suggested that you amend House Bill No. 72 by striking the following from Section 5—

“immediately upon its passage and approval by the Governor or upon its otherwise becoming a law”.

and inserting in lieu thereof the following:—

“at the beginning of the next school term in September 1967”.

This suggested executive amendment is made at the request of the authors of said House Bill No. 72, and, if adopted, will remove objections to the bill.

Respectfully,
LURLEEN B. WALLACE,
Governor.

April 5, 1967

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 72, by a vote of Yeas 76, Nays 1, which was a majority of the whole number elected to the House, and said bill:

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

as amended by the amendment proposed by Her Excellency, the Governor, was again read at length and passed by a vote of Yeas 74, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by Her Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Folsom, the Senate concurred in and adopted the amendment proposed by Her Excellency, the Governor, to the Bill, H. B. 72, the title of which and said Executive Amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Oden	
Adams	Folsom	Lolley	Pelham	
Albea	Gilmore	McCarley	Pierce	
Bailes	Givhan	Morrow	Stone	
Carr	Goodwyn	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Vacca	
Clark	Jackson			—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 65. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That Senate Joint Resolution No. 10 be known as the Torbert-Turnham-Brassell-Higginbotham resolution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Rules were suspended and the Resolution, H. J. R. 65, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 11. Relative to petitioning Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

Also:

S. J. R. 28. Relative to naming the library building now under construction at Alexander City State Junior College the Thomas D. Russell Library.

Also:

S. J. R. 29. Relative to Harold Howe II, Commissioner of Education.

Also:

S. J. R. 32. Relative to James P. Nailen.

Also:

S. J. R. 33. Relative to Bart Starr.

Also:

S. J. R. 35. Relative to commending Senator Hill and Senator Sparkman for their long and distinguished careers in the Congress of the United States.

Also:

S. J. R. 36. Relative to extending felicitations to the Honorable Joseph R. Mitternacht on his eightieth birthday.

Also:

S. J. R. 37. Relative to Dr. J. B. Davis.

Also:

S. J. R. 38. Relative to the death of the Honorable Charles S. Trimnier.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1. To authorize the Board of Revenue or like governing body of Autauga County to levy a privilege or license tax on persons, firms and corporations, selling, distributing, or delivering any malt or brewed beverages to retailers in Autauga County; to authorize the Board of

Revenue or like governing body of Autauga County to collect the tax, and to authorize the Board of Revenue to make rules and regulations to govern enforcement and collection of the tax.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Givhan, Chairman of the Standing Committee on Commerce and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adams (with amendment):

S. 83. To legalize the towing of certain four-wheel, two-axle trailers on public highways and streets, repealing conflicting laws.

RESOLUTION

Mr. Engel offered the following Senate Joint Resolution, to-wit:

S. J. R. 43. WHEREAS, George Washington Miller of Mobile, Alabama departed this life on April 3, 1967, in Mobile, after a long and useful Christian life; and

WHEREAS, Mr. Miller was born in Oldtown, Conecuh County, Alabama on October 14, 1885, and spent his boyhood years on the family farm in Evergreen, Alabama; and

WHEREAS, Mr. Miller devoted approximately fifty years of his life to law enforcement, serving in varying capacities in Conecuh, Escambia and Mobile Counties; and

WHEREAS, Mr. Miller served with distinction as Deputy United States Marshall for the Southern District of Alabama from 1935 to 1955; and

WHEREAS, his dedicated service and devotion to duty brought him the respect and admiration of the members of the local, State and Federal law enforcement agencies; and

WHEREAS, in addition to his active career he contributed much to his fellowman and community through unselfish service in the Peace

Officers Association, and through civic, charitable and community affairs; and

WHEREAS, his knowledge and integrity in the faithful performance of his duties will always be cherished by those privileged to have been associated with him; and

WHEREAS, his countless friends and acquaintances deem his passing as a distinct loss, but shall always cherish the memory of this dedicated citizen and outstanding native son of Alabama; now therefore,

BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that the members of this body express their deepest regret upon the death of Mr. Miller and extend their sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to his widow, Mrs. George Washington Miller, his son, Mr. Richard E. Miller and daughters Mrs. Vivian M. Spangler, Mrs. Herbert E. Atkins and Mrs. Juliette Blackledge.

Which was read and referred to the Standing Committee on Rules.

RECESS

At 10:30 A. M., on motion of Mr. Goodwyn, the Senate took a recess until 11:30 A. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins		

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SELECT COMMITTEE APPOINTMENTS ANNOUNCED

Under the provisions of S. J. R. 13, the President and Presiding Officer of the Senate appointed as members on part of the Senate Messrs. Branyon, Givhan and Vacca.

Under the provisions of H. J. R. 9, the President and Presiding Officer of the Senate appointed as member on part of the Senate Mr. McDermott.

ADJOURNMENT

At 11:31 A. M., on motion of Mr. Goodwyn, in accordance with Joint Resolution heretofore adopted by the Senate, and pending further consideration of the Bill, S. B. 14, the Senate adjourned until Tuesday, April 11, 1967, at 2 o'clock P. M.

TWENTY-FIRST LEGISLATIVE DAY

TUESDAY, APRIL 11, 1967

(The Senate was not in Session on the Twentieth Legislative Day.)

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend John W. Phillips, Rector, All Saints Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Leonard	Pierce
Albea	Folsom	Lindsey	Radney
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	Oden	

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Nineteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Nineteenth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. O'Bannon for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate

Joint Resolutions, with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 11. Applying to the federal government for a Constitutional Convention.

Also:

S. J. R. 28. Naming the library building at Alexander City State Junior College the "Thomas D. Russell Library".

Also:

S. J. R. 29. Condemning the activities of Harold Howe II as Commissioner of Education.

Also:

S. J. R. 32. Extending sympathy to Mr. and Mrs. James F. Nailen in the death of their son, James P. Nailen.

Also:

S. J. R. 33. Congratulating Bart Starr upon his long and successful football career.

Also:

S. J. R. 35. Commending Senator Lister Hill and Senator Sparkman for their distinguished careers in Congress.

Also:

S. J. R. 36. Saluting The Honorable Joseph R. Mitternacht on his eightieth birthday.

Also:

S. J. R. 37. Commending Dr. J. B. Davis of Mobile for his humanitarian deed.

Also:

S. J. R. 38. Mourning the death of the Honorable Charles S. Trimmer.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

LIEUTENANT GOVERNOR ANNOUNCES MEETING OF COMMITTEE OF WHOLE

In accordance with the provisions of H. J. R. 61, the Lieutenant Governor and President and Presiding Officer of the Senate called a meeting of the Committee of the Whole Legislature at 10 o'clock A. M., Wednesday, April 12, 1967, in the House Chamber.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McCarley:

S. 119. To authorize counties and municipalities to provide for establishment and operation of non-profit ambulance services.

Committee on Counties and County Boundaries.

RECESS

At 2:38 P. M., on motion of Mr. Cooper, the Senate took a recess until 3 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Leonard	Pierce
Albea	Folsom	Lindsey	Radney
Bailes	Giles	Lolley	Skidmore
Branyon	Gilmore	McCarley	Stone
Carr	Givhan	McDermott	Torbert
Childs	Goodwyn	Morrow	Turner
Clark	Harris	Nabors	Vacca
Cooper	Hawkins	Oden	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has concurred in and adopted the following Senate Joint Resolution:

S. J. R. 42. Relative to adjournment of the two Houses to meet again on Tuesday, April 11, 1967.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House substitute for the Resolution, S. J. R. 42, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. J. R. 42

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, April 5, they adjourn to meet again on Thursday, April 6, and that when the House adjourns on Friday, April 7, 1967, they adjourn to meet again on the 11th day of April, 1967, and when the Senate adjourns on Thursday, April 6, 1967, they adjourn to meet again on Tuesday, April 11, 1967.

ADJOURNMENT

At 3:38 P. M., on motion of Mr. Radney, pending further consideration of the Bill, S. B. 14, the Senate adjourned until Friday, April 14, 1967, at 10 o'clock A. M.

Yeas 16; Nays 15.

Yeas:

Messrs.:	Cooper	Lindsey	Radney	
Adams	Givhan	Lolley	Stone	
Branyon	Jackson	McCarley	Torbert	
Carr	Leonard	Oden	Turner	
Clark				—16

Nays:

Messrs.:	Dominick	Hawkins	Pelham	
Albea	Giles	McDermott	Pierce	
Bailes	Gilmore	Morrow	Skidmore	
Childs	Harris	Nabors	Vacca	
				—15

TWENTY-SECOND LEGISLATIVE DAY

FRIDAY, APRIL 14, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Lewis Marler, Pastor, Ridgecrest Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham	
Adams	Engel	Lindsey	Pierce	
Albea	Folsom	Lolley	Radney	
Bailes	Giles	McCarley	Skidmore	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins	Oden		—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the

Journal of the Senate for the Twenty-First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-First Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Leonard for today.

RECESS

At 10:25 A. M., on motion of Mr. Cooper, the Senate took a recess until 11 o'clock A. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Pelham
Adams	Engel	Lindsey	Pierce
Albea	Folsom	Lolley	Radney
Bailes	Giles	McCarley	Skidmore
Branyon	Gilmore	McDermott	Stone
Carr	Givhan	Morrow	Torbert
Childs	Goodwyn	Nabors	Turner
Clark	Harris	O'Bannon	Vacca
Cooper	Hawkins	Oden	

—34

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Torbert:

S. 120. To amend Act No. 52, H. 127, Special Session 1961, an act providing for participation by the State of Alabama in the Southern Interstate Nuclear Compact, so as to provide that the State of Missouri may become a member state.

Committee on Finance and Taxation.

By Mr. Folsom:

S. 121. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

Committee on Local Legislation No. 1.

By Mr. McCarley:

S. 122. To authorize the county governing body of any county in this State to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Committee on Counties and County Boundaries.

RULING OF THE CHAIR SUSTAINED

At 11:05 A. M., Mr. McCarley rose to address the Senate in a discussion of S. B. 122.

At 11:17 A. M., Mr. Goodwyn stated that the time granted Mr. McCarley had expired. Mr. McCarley stated that he had been granted one hour for his discussion of S. B. 122, and requested a ruling of the Chair.

The President and Presiding Officer of the Senate ruled that since S. B. 122 had been assigned to a Committee, further consideration of the Bill was no longer before the Senate; therefore, Mr. McCarley was speaking on a Point of Personal Privilege, which is limited to five minutes for any Senator, unless he is defending himself from personal attack.

Mr. McCarley appealed from the Ruling of the Chair, and the Ruling of the Chair was sustained.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Adams	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Torbert	
Cooper	Hawkins	O'Bannon		—30

Nays:

—0

MOTION TO ADJOURN LOST

At 11:23 A. M., Mr. McCarley moved that the Senate adjourn until Tuesday, April 18, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 10; Nays 21.

Yeas:

Messrs.:	Clark	Jackson	McCarley	
Adams	Cooper	Lindsey	Oden	
Branyon	Givhan	Lolley		—10

Nays:

Messrs.:	Engel	McDermott	Pierce	
Albea	Folsom	Morrow	Radney	
Bailes	Gilmore	Nabors	Skidmore	
Carr	Goodwyn	O'Bannon	Stone	
Childs	Harris	Pelham	Torbert	
Dominick	Hawkins			—21

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Lybrand:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 219. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lybrand:

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

Also:

By Mr. Lybrand:

H. 221. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and

its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 220 and 221. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 40. To make an additional appropriation to the Alabama State Milk Control Board.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Goodwyn, the Senate non-concurred in the following House amendment to the Bill, S. B. 23, the title of which is set out in the foregoing Message from the House, to-wit:

WAYS & MEANS COMMITTEE AMENDMENT TO S. B. 23

Amend Section 2 of Senate Bill 23 by changing the period at the end of the first sentence of said section to a comma and adding the following:

"nor to purchases for public hospitals and nursing homes operated by the governing boards of instrumentalities of the state, counties and municipalities."

Amend Section 4 of Senate Bill 23 by striking therefrom the last sentence in said section and inserting in lieu thereof the following:

"Whoever knowingly participates in a collusive agreement in violation of this Section shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars (\$500.00) and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six (6) months."

Amend Section 9 of Senate Bill 23 by striking in its entirety the sentence in said Section 9 which reads as follows:

"It is provided, however, that the awarding authority may at any time within five (5) days after the bids are opened, negotiate and award the contract to another vendor, who participated in the bidding, provided he secures a price at least five per cent (5%) under the low acceptable bid on products meeting the quality and specifications of the original bid."

Amend Senate Bill 23 by deleting in its entirety Section 14 and inserting in lieu thereof the following:

"Section 14. This act shall become effective October 1, 1967."

Amendment to S. B. 23

Add at the end of Section 1 the following: In the event only one bidder responds to the invitation to bid, the awarding authority may reject the bid and negotiate the purchase or contract, provided the negotiated price is lower than the bid price.

AMENDMENT TO S. B. 23

Amend Section 2 of S. B. 23 by inserting after the word "pamphlets" the following:

", the selection of paying agents and trustees for any security issued by a public body,"

And requested Committee on Conference, which motion was adopted.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Cooper	Jackson	O'Bannon
Adams	Engel	Lindsey	Oden
Branyon	Folsom	Lolley	Pelham
Carr	Giles	McDermott	Skidmore
Childs	Givhan	Morrow	Stone
Clark	Goodwyn	Nabors	Vacca

—23

Nays:

Messrs.:	Dominick	Hawkins	Radney
Albea	Gilmore	McCarley	Torbert
Bailes	Harris	Pierce	

—10

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 34. To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

Also:

S. 35. To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill and Lybrand:

H. 206. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for registers of the circuit courts of such counties.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 207. Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the probate judge, judge of the county court, tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

Also:

By Mr. Williams:

H. 208. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Also:

By Mr. Williams:

H. 209. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of the Board of Equalization in such counties.

Also:

By Messrs. Meade and Beck:

H. 214. To provide clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits

where the district attorneys for those three (3) county judicial circuits reside in a county other than the county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides has a population of not less than 16,150 nor more than 17,250.

Also:

By Messrs. Springer, McCorquodale, Fite, Cherner, Culver and Cameron:

H. 211. To amend Sections 7, 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234, to provide for the salary of the Chief Examiner and the Assistant Chief Examiner of the Department of Examiners of Public Accounts; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 206, 207, 208, 209 and 214. To the Committee on Local Legislation No. 1.

H. B. 211. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (P) and Bolton:

H. 212. Relating to counties of 65,000 to 95,000 population providing further for the distribution of fines from convictions in certain cases of traffic violations.

Also:

By Messrs. Jackson (T), Watkins, Holman, Kilgore, Gloor, Waggoner, Adwell, House, Cook (Jefferson), Meeks, Bowers, Sessions, Crane, Yeilding, Cherner, Gafford, Money and Ellis:

H. 225. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jakie Wayton \$704.00; and Tom Williams \$850.00.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that at the next session of the Legislature of Alabama, whether that session be special or regular session, application will be made to the Legislature for adoption of an Act which will contain the terms set forth in the following bill:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00; and Tom Williams \$850.00.

Be It Enacted by the Legislature of Alabama:

Section 1. That Jefferson County, Alabama be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jackie Wayton \$704.00 and Tom Williams \$850.00.

Section 2. This Act to become effective upon its being signed by the Governor or otherwise becoming law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of February 25, March 4, 11, 18, 1967, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 20th day of March, 1967.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. House, Cook (Jefferson), Dill, Waggoner, Gloor, Money, Adwell, Yeilding, Bowers, Meeks, Jackson (T), Watkins, Kilgore, Holman, Crane, Cherner, Gafford and Ellis:

H. 226. To alter, rearrange and extend the boundaries of the Town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the $W\frac{1}{2}$ of the $SE\frac{1}{4}$ and the $NE\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the 1st Special Session or the regular session of the Legislature of Alabama held during the year 1967 for introduction and passage of a Bill, the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL TO BE ENTITLED AN ACT

TO ALTER, REARRANGE AND EXTEND THE BOUNDARIES OF THE TOWN OF BROWNVILLE, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS THEREOF CERTAIN ADDITIONAL TERRITORY IN THE $W\frac{1}{2}$ OF THE $SE\frac{1}{4}$ AND THE $NE\frac{1}{4}$ OF THE $SW\frac{1}{4}$ OF SECTION 25, T18S, R4W, JEFFERSON COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Brownville, in Jefferson County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said Town certain additional territory lying within the following described boundaries, to-wit:

Begin at the SE corner of $W\frac{1}{2}$ of $SE\frac{1}{4}$, Section 25, Township 18 S., Range 4 W., thence run West along the South line of said $W\frac{1}{2}$ of $SE\frac{1}{4}$ a distance of 78.8 feet to the NE corner of Lot 7, Block 4, according to the Map of Wenonah Subdivision, Plat "D", as recorded in Map Book 8, Page 80, Judge of Probate Office, Bessemer Division, Jefferson County, Alabama, for the point of beginning, thence continue said course along said South line, being also the North line of said Lot 7, a distance of 137.5 feet to the NW corner of said Lot 7, turn right an angle of $56^{\circ} 58'$ a distance of 1590.26 feet to a point on the North line of $SW\frac{1}{4}$ of $SE\frac{1}{4}$ of said Section 25, being also a point on the NE right-of-way boundary of U. S. Steel Ore or Highline R. R., turn right an angle of $00^{\circ} 57'$ along said NE right-of-way boundary a distance of 951.37 feet to a point on the NW right-of-way boundary of Second Avenue, according to the Map of Hillman, as recorded in Map Book 1, Page 57, Judge of Probate Office, Birmingham Division, Jefferson County, Alabama, being the present Brownville Corporate Limit boundary, turn right an angle of $72^{\circ} 31'$ along said NW right-of-way boundary a distance of 129.86 feet to the intersection of a NWly projection of the NEly right-of-way boundary of Second Street, turn right an angle of $90^{\circ} 00'$ a distance of 380.0 feet to the Southmost corner of Lot 16, Block 21, according to said Map of Hillman, turn right an angle of $90^{\circ} 00'$ a distance of 80.0 feet to the Eastmost corner of Lot 9, Block 22, according to said Map of Hillman, turn left an angle of $90^{\circ} 00'$ a distance of 160.0 feet, turn right an angle of

90° 00' along the SE boundary of Block "J", being also the NW right-of-way boundary of L & N Railroad, a distance of 62.70 feet, turn left an angle of 72° 31' a distance of 526.48 feet to a point on the North line of aforesaid SW $\frac{1}{4}$ of SE $\frac{1}{4}$, turn right an angle of 00° 15' a distance of 1568.97 feet to point of beginning; being in W $\frac{1}{2}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 25, Township 18 S., Range 4 W., and including Block 22, Block "J", and a portion of First and Second Avenues, and a portion of Second Street, according to said Map of Hillman, Jefferson County, Alabama.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were March 10-17-24-31 1967 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 31 day of March, 1967.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Merrill, Bowers, Adwell and Drake:

H. 7. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to exempt from the authority, jurisdiction or power of any state agency, commission, department or instrumentality to control or regulate, a foreign corporation which transacts only a portion of its business in this state and locates its principal administrative office, principal distribution or manufacturing plant or principal place of business in this state, with respect to that portion of its business transacted or property located without this state and the securities or obligations of such foreign corporation; and for other purposes.

Also:

By Messrs. Merrill, Adwell, Bowers and Drake:

H. 8. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing

plant or principal place of business by foreign corporations; to provide for the allocation of tax obligation on real or personal property between the transferor and a foreign corporation transferee of property sold to, acquired by or transferred to such foreign corporation in connection with locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business or in connection with becoming the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state; and for other purposes.

Also:

By Messrs. Merrill, Bowers, Adwell and Drake:

H. 12. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to amend section 339, Title 51, Code of Alabama 1940, relating to qualification of a foreign corporation to engage in or transact business in this state, to provide that the maximum amount of qualification fee or admission tax shall not exceed five hundred dollars for each foreign corporation which files with the department of revenue the required statement together with certified copies of resolutions by its board of directors locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business and thereafter actually locates such office, plant or place of business within this state within one year from the date of such filing, or authorizing it to become the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state and thereafter actually becomes such successor or assignee within one year from the date of such filing; and for other purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 212. To the Committee on Finance and Taxation.

H. B.'s 225 and 226. To the Committee on Local Legislation No. 2.

H. B.'s 7, 8 and 12. To the Committee on Commerce and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 182. To apply only in counties having populations of not more than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ellis:

H. J. R. 77. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That

WHEREAS, the Constitution of Alabama was last reviewed, rewritten and adopted in its entirety more than sixty-six years ago, and

WHEREAS, a total of 256 amendments to the Constitution of 1901 have been adopted, and the Constitution as a whole is in many respects not well adapted to modern conditions and problems, and urgently needs simplification and restatement, and

WHEREAS, the economic, political and social problems of the State make it imperative that a careful study be made of the Constitution, with a view to a general revision thereof, and

WHEREAS, the problem of the best method of undertaking a general revision of the Constitution is complex and difficult, and the provisions in the present Constitution for a Constitutional Convention for that purpose is believed by many to be obsolete and impractical, and modern experience in other states demonstrates that the appointment of a Commission to carry out the numerous and difficult studies necessary for that purpose is the most effective method of accomplishing a satisfactory result.

NOW, THEREFORE, the Speaker of the House and the President of the Senate are requested and directed to appoint a Committee of three members from each body to prepare, after consultation with the Governor and other officials of the State, the President and other officers of the State Bar Association, representatives of the principal law schools in the State and such other persons as the Committee may determine, such legislation, including submission of one or more constitutional amendments, as may be required to accomplish most effectively a general revision of the Constitution of Alabama or of selected parts thereof, within a reasonable time.

The Committee shall submit its recommendations, together with drafts of proposed bills and amendments, to the Regular Session of the Legislature as soon as possible after it convenes, and in any event not later than 1 July 1967.

The members of the Committee shall receive the same pay and allowances for attendance at meetings as for attendance at meetings of regular committees of the Legislature, whether or not the Legislature is in special or regular session at the time of such meetings.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 77, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Pennington:

H. J. R. 78. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 40, S. J. R. 27, approved April 3, 1967, shall be named, designated and known as the Giles, Pennington, Jones, McLain, Laxson and Snodgrass Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 78, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Headley:

H. J. R. 79. WHEREAS Mayor J. Hollis Jackson of Clanton whose death occurred on November 2, 1966, was an outstanding leader who was particularly noted for his many civic, economic and cultural activities in his city and throughout Chilton County; and

WHEREAS the passing of Mayor Jackson is a distinct loss to this State as well as to his many friends and devoted admirers in his home community; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend our deep and heartfelt sympathy to the surviving members of Mr. Jackson's family, to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Radney, the Rules were suspended and the Resolution, H. J. R. 79, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Grayson:

H. J. R. 72. WHEREAS, One Stokely Carmichael has repeatedly made seditious and un-American statements, more recently at Miles College in Birmingham, Alabama; and

WHEREAS, Carmichael was reported to have said, quote: To hell with the laws of the United States. If a white man tries to walk over you, kill him. One match and you can retaliate. Burn, baby, burn. End quote, at Miles College on April 4, 1967; and

WHEREAS, Arthur G. Keeney of Mobile, Alabama, has filed a complaint with the Attorney General of the United States, charging him with sedition (violation of U. S. Code, Title 18, Sections Two Three Eight Three and Two Three Eight Five); and

WHEREAS, Mr. Keeney's action was forthright, American and took zeal and courage; and

WHEREAS, The Legislature of Alabama feels that the acts of Stokely Carmichael are seditious, un-American and calculated to overthrow the orderly government of the United States and the sovereign states; and

WHEREAS, Carmichael's statements, utterings and accusations are intended to incite riot, discord, and racial violence; and

WHEREAS, Americans of all races, colors and creeds deeply resent his actions;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That we commend Mr. Arthur Keeney for his forthright action;

BE IT FURTHER RESOLVED, That we do by these presents join with him and other citizens demanding that the Justice Department and other enforcement agencies bring prompt and effective action against Stokely Carmichael for sedition and treason.

BE IT FURTHER RESOLVED, That certified copies of this resolution be forwarded to the Honorable Ramsey Clark, Attorney General of the United States, Washington, D. C.; Senator Lister Hill; Senator John Sparkman; and to Mr. Arthur G. Keeney of Mobile, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Radney, the Rules were suspended and the Resolution, H. J. R. 72, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 40. Relating to the University of South Alabama in Mobile, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bank, Thomas, Culver, Brown, Malone, Jackson (Jefferson), Cook (Jefferson) and Snell:

H. J. R. 69. WHEREAS the Alabama National Guard which is fifth in the nation in strength and first in strength based on per capita population, is doing a tremendous job in training, educating and preparing fighting units while preserving our domestic peace and safety; and

WHEREAS in the proposed reorganization of the National Guard, the 31st Division will be eliminated thereby destroying the unity and pride in service upheld by the members of each unit composed of Alabama's finest young men; and

WHEREAS Governor Lurleen B. Wallace, in her stirring address at the closing session of the National Guard Association Conference held in Tuscaloosa last Sunday, promised to preserve the integrity of the units making up the National Guard of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wholeheartedly oppose the planned reorganization of the National Guard and recommend that the unity and integrity of the 31st Division making up the National Guard of Alabama be continued and preserved.

RESOLVED FURTHER That a copy of this resolution be sent to Major General Alfred C. Harrison, National Guard Adjutant General.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 69, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Marr, Smith (C), Downing, Perloff, Grayson, Hogan, Edington, Collins (M), Wood, Merrill, Pennington, Collins (C), Pruitt, Holladay, Owen (Baldwin), Brannan, McCorquodale and Agee:

H. J. R. 67. WHEREAS, Dr. Frederick P. Whiddon, President of the University of South Alabama, Mobile, Alabama, appeared before the Committee as the Whole of the Legislature to testify at the public hearing; and

WHEREAS, Dr. Whiddon was well informed on the subject before the Committee; and

WHEREAS, Dr. Whiddon is an outstanding higher education leader and reflects credit on the University of South Alabama as well as the State of Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That this body appreciates Dr. Whiddon's assistance and testimony to the Joint House and Senate Committee as the Whole.

BE IT FURTHER RESOLVED That this body appreciates Dr. Whiddon's outstanding leadership and accomplishments as President of the University of South Alabama since its creation in 1963.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 67, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Ellis, Higginbotham and Brassell:

H. J. R. 70. WHEREAS Auburn University has this week set a world record by donating 4,821 pints of blood within a two day period for the use of American soldiers in Vietnam; and

WHEREAS Auburn University students have given a total of 8,328 pints of blood to the servicemen of our country in the past two years; and

WHEREAS the Auburn University Tiger football team, R. O. T. C. units, sororities, fraternities and student government organizations donated in force; and

WHEREAS the Auburn University spirit so touched the hearts of two of the nation's Medal of Honor winners, namely, Lt. Col. John J. Tominac and 1st. Lt. Walter J. Marm of Ft. Benning, that they visited the campus and also donated blood to our servicemen; and

WHEREAS in as much as this exemplifies the highest degree of patriotism among our college students and engenders the utmost in pride of the parents, faculty and citizens of our great state; and

WHEREAS this entire program of blood donation to our servicemen was conceived, organized and executed by the students themselves with the help and aid of the American Red Cross, which involved many hours of work alone; and

WHEREAS this call of civic duty goes far beyond the normal expected behavior pattern, and exhibits a recognition of the duty of all citizens by the students of Auburn University to our nation's fighting men; now therefore

BE IT RESOLVED, THAT THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, sincerely wishes to commend our young people, the students of Auburn University, for their concern for humanity, our fighting men and our nation.

BE IT FURTHER RESOLVED, That we are deeply proud of them in their tremendous effort to make all our citizens aware that our men in Vietnam need our moral support, our prayers, our money and our blood.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 70, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Higginbotham, Brassell, Ellis and Melton:

H. J. R. 73. WHEREAS The Auburn Plainsman for the second consecutive year has won the top coveted honor of being rated All-American by the Associated Collegiate Press; and

WHEREAS the ACP rating which provides valuable and comprehensive criticism and analysis of newspapers in various classifications according to enrollment, judged The Plainsman in that group of colleges and universities with enrollment above 4,000, thereby placing it against stiff competition with many larger and more heavily endowed institutions as well as with similar or smaller institutions; and

WHEREAS Mr. G. D. Herbert, ACP judge, particularly praised The Plainsman's news coverage and enterprise in finding extra news, with additional credit being given for initiative in creating good features on campus and student life; and

WHEREAS the editorial writers of The Plainsman were highly complimented for the effectiveness of their writing and the variety of their material; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Auburn University upon the top rating won by its student newspaper, The Auburn Plainsman. We commend The Plainsman's editor, Mr. Jerry Brown, its manager, and all staff members and faculty advisors for their untiring efforts and skill in producing an excellent product in which we take great pride.

RESOLVED FURTHER That a copy of this resolution be sent to The Auburn Plainsman.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 73, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 63. Relating to prisoners; making it unlawful for county convicts sentenced to hard labor for the county to wilfully refuse to work or perform labor as lawfully required and prescribing penalties.

Also:

By Messrs. Dill, Crane, Thomas, Holman, Yeilding, Cherner, Adwell, Waggoner, Jackson (T), Money, House, Ellis, Gloor, Sessions, Bowers, Gafford, Cook (Jefferson) and Watkins:

H. 152. To further regulate the Probate Court and Office of the Judge of Probate in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide for and create the office of Assistant Judge of Probate of such Probate Court and Office of Judge of Probate; to authorize and empower the Judge of Probate of such counties to delegate duties and authority to such officer, and to prescribe further the authority, power and duties of such office, and to further provide for such office and the duties, authority and compensation for such office.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 63. To the Committee on Judiciary.

H. B. 152. To the Committee on Local Legislation No. 2.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Malone (with notice and proof) (with amendment):

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Perloff et al (with notice and proof):

H. 167. To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carr:

S. 101. To appropriate the sum of Three Thousand Eight Hundred and 50/100 Dollars to the Division of Game and Fish for additional construction of hatchery ponds and water supply systems at the Eastaboga Fish Hatchery from any unappropriated monies in the Game and Fish Fund.

By Messrs. Owen (Baldwin) and Brannan:

H. 3. Authorizing the Director of Conservation to expend from any refunded Bureau of Outdoor Recreation monies a sum not exceeding fifty thousand dollars (\$50,000.00) for the purpose of additional construction and equipping of a public fishing pier at Gulf State Park; and to further authorize the Director of Conservation to transfer said monies not exceeding fifty thousand dollars (\$50,000.00) to the State Building Commission for such construction and equipping purposes.

By Messrs. Smith (P) and Bolton:

H. 65. To make a further and additional appropriation of \$44,000 to the Department of Adult Blind of the Alabama Institute for Deaf and Blind.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Turnham and Ellis (with amendment):

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Smith (P), Harris and Hobbie:

H. 108. To make an additional appropriation to the Alabama State Milk Control Board.

By Mr. Cook (Coffee):

H. 109. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year

period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

By Mr. McCorquodale:

H. 148. To make an appropriation to the Governor's Committee on the Status of Women.

By Messrs. Steagall, Burgess and Stenbridge:

H. 118. To create the position of Assistant Director in the Department of Public Safety; to provide for his appointment and removal, duties, responsibilities and salary; and to provide for the effective date of this act.

By Mr. Brown et al:

H. 110. To make an additional appropriation to the Board of Chiropractic Examiners.

RESOLUTIONS

Mr. Cooper offered the following Senate Resolution, to-wit:

S. R. 44. Requesting advisory opinions of the Justices of the Supreme Court of Alabama in re Article 5, Section 122 and Article 4, Section 76 of the Constitution of Alabama.

RESOLVED BY THE SENATE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, be, and they hereby are respectfully requested to give the Senate their written opinions concerning the following important constitutional questions which have arisen in connection with pending legislation:

Can the Governor constitutionally amend the call for an extraordinary session issued under Article 5, Section 122 of the Constitution by adding a new and additional subject of legislation in a special message delivered to the two houses several days after the special session has been convened? Would such legislation so added require a vote of two-thirds of each house for passage under Article 4, Section 76 of the Constitution?

RESOLVED FURTHER, That the Secretary of the Senate shall deliver forthwith four copies of this Resolution to the Clerk of the Supreme Court.

Which was read and referred to the Standing Committee on Rules.

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 45. WHEREAS, the regulation of consumer credit transactions has traditionally been a responsibility of state government and,

WHEREAS, the National Administration through the U. S. Congress has proposed legislation to take over control of yet another state responsibility and,

WHEREAS, this legislation would create a dangerous preemption of States Rights and a furthering of Federal bureaucratic control of every individual and private enterprise and,

WHEREAS, such time honored organizations as the National Chamber of Commerce, the American Bar Association, the American Bankers' Association and the National Conference of Commissioners on Uni-

form Laws, which has done a great deal of research and study in this area, have all agreed that until all reasonable opportunities by the states to solve consumer problems have been tried that Federal intervention in this field is indefensible.

NOW THEREFORE BE IT RESOLVED, that the legislature of Alabama resents further Federal encroachment upon the time honored rights of the States and pledges itself to resist the irresponsible use of power by the central government and,

BE IT FURTHER RESOLVED, that the legislature of Alabama believes that the regulation of all types of consumer credit transactions is a matter to be controlled by the respective states and,

BE IT FURTHER RESOLVED, that the legislature of Alabama opposes the enactment of any Federal law to regulate consumer credit transactions and,

THEREFORE BE IT FINALLY RESOLVED, that the Congress of the United States be memorialized to recognize the progress that is being made in the respective states in this field and refrain from further encroachment upon the rights and prerogatives of all state legislative bodies.

Which was read and referred to the Standing Committee on Rules.

Mr. Vacca offered the following Senate Resolution, to-wit:

S. R. 46. RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, are respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in reference to the pending bill, H. B. 152 as substituted by the House, a true copy of which is attached hereto and incorporated herein by reference:

1. Does this bill propose a local law within the meaning of Article 4, Section 110 of the Constitution of Alabama?
2. Does this bill propose a local law violative of Article 4, Section 105 of the Constitution?
3. Are the provisions of Section 4 of the bill violative of Article 6, Section 158 of the Constitution?
4. Do the provisions of the bill provide for an unconstitutional delegation of judicial power?

RESOLVED FURTHER, That the Secretary of the Senate is directed to send forthwith to the Clerk of the Supreme Court of Alabama four true copies of this Resolution.

H. B. 152

A BILL
TO BE ENTITLED
AN ACT

To further regulate the Probate Court and Office of the Judge of Probate in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide for and create the office of Assistant Judge of Probate of such Probate Court and Office of Judge of Probate; to authorize and empower the Judge of Probate of such counties to delegate duties and authority to such officer, and to prescribe further the authority, power and duties

of such office, and to further provide for such office and the duties, authority and compensation for such office.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Probate Courts and to the Office of Judge of Probate in all counties having a population of 600,000 or more, according to the last or any subsequent decennial federal census. There shall be an Assistant Judge of Probate in each said county, who shall be learned in the law, over the age of twenty-five years and a resident of the county for one year or more next preceding the date of taking office, who shall be appointed by the Judge of Probate from a list of three eligibles selected and submitted to him as follows: If there is in such county a Judicial Commission pursuant to law or any amendment to the Constitution of Alabama to select eligibles for appointment to vacancies in the office of Circuit Judge in such county, the Judicial Commission shall accept applications and submit the names of the three best qualified persons to the Judge of Probate, in the same manner as the Judicial Commission would select eligibles for appointment to a Circuit Judge vacancy. If there is no such Judicial Commission in such county, or if such Judicial Commission fails to act, then a committee composed of three members—(1) one of whom shall be a circuit judge of such county appointed by the presiding judge of the circuit court of such county, (2) one shall be a practicing lawyer experienced in probate court matters in such county to be appointed by the president of the Bar Association having the largest membership in such county, and (3) one shall be a non-member of the Bar Association appointed by the County Commission or other county governing body—shall receive applications and certify the three deemed best qualified for such office. Vacancies shall be filled in like manner. The members of such Judicial Commission or other committee shall serve without compensation for such services.

Section 2. Under the general authority, supervision and direction of the Judge of Probate, such Assistant Judge shall be the chief administrative officer of such probate court, and further shall have the following authority and powers:

1. All of the powers, authority and responsibilities now vested or which may hereafter be vested by law in the chief clerk of such court, and specifically all powers, duties, authority and responsibilities provided in Chapter 5 of Title 13 Code of Alabama of 1941 as recompiled by 1958 Code, for the chief clerk.

2. All authority, powers, duties and responsibilities of the clerk-and-register of any such probate court, as provided in Act No. 558 of the Regular Session of 1959 of the Legislature of Alabama.

3. To serve as master and hold references in matters involving contested claims and ascertainment of condemnation awards, and make written report of the findings.

4. To appoint administrators ad litem and appoint notaries public and to appoint legal representatives for recipients of public assistance funds, when such duties and authority is vested in the judge of probate.

5. To hear and determine petitions for adoptions, change of names, legitimations, annexation and other municipal elections, and applications for commitment of mental patients, where there is no contest.

6. To do all other acts and things and perform all other duties, where there is no contest, that the judge of probate could do and perform.

All of the official acts of such Assistant Judge of Probate must be performed in the name of the Judge of Probate, except as otherwise authorized by law. The assistant judge of probate may be appointed to serve as special judge of probate in accordance with such authority as is now provided by Section 310 of Title 13, Code of Alabama.

Section 3. Such Assistant Judge of Probate, before he enters upon his duties, must take the oath directed to be taken by the officers of this state, and give bond, with surety, in the manner and as required of the chief clerk of the probate court under the same conditions and penalties as are provided in Section 301 of Title 13, Code of Alabama of 1940, as amended, by 1958 Recompiled Code, and other provisions of law applicable to such office in such county, the costs and expenses of which shall be paid for as costs of the official bonds for other county officers in such county are paid.

Section 4. The Assistant Judge of Probate shall be a county officer, and shall serve under the provisions of laws applicable to such office, and he shall be entitled to the same benefits as other county officers are entitled. He shall be subject to the same liabilities, penalties and responsibilities for his acts as are provided by law for or on the Judge of Probate. The Assistant Judge (or Associate Judge) shall hold office for the term of the judge appointing him, but subject to removal by the Judge for cause by order to be entered at length on the minutes of the court. The beginning salary for the first named Assistant Probate Judge shall be a sum not less than \$15,000.00 nor more than \$16,500.00 per year, to be fixed and approved by the County Commission or other County Governing body, and such salary shall be paid and increased or lowered as other county officers salaries are increased or lowered, and paid.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid, such declaration shall not affect the part which remains. This Act is cumulative.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was read and referred to the Standing Committee on Rules.

ADJOURNMENT

At 12:40 P. M., on motion of Mr. Hawkins, the Senate adjourned until Tuesday, April 18, 1967, at 12 o'clock Noon.

TWENTY-THIRD LEGISLATIVE DAY

TUESDAY, APRIL 18, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend Lynn Matlack, Minister, First Christian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Second Legislative Day was approved by the Senate.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 34. To fix the compensation of the coroner of Marshall County and provide for operation of such office on a salary basis.

Also:

S. 35. To regulate further the compensation of the superintendent of education of Marshall County; amending Act No. 55, S. 51, Regular Session 1963 (Acts 1963, p. 434), an act regulating the compensation and allowances of the superintendent of education of Marshall County.

Also:

S. 40. To make an additional appropriation to the Alabama State Milk Control Board.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution, with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 40. Endorsing the University of South Alabama's effort to develop a major program of teaching and research in the Marine Sciences.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORTS OF COMMITTEES

Mr. Clark, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar to-wit:

By Mr. Pennington et al (with amendment):

H. 49. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

Mr. Clark, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Snell:

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Berryman (R) (with notice and proof):

H. 23. To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Berryman (R) (with notice and proof) (with amendment):

H. 24. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Merrill and Lybrand:

H. 206. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for registers of the circuit courts of such counties.

By Messrs. Merrill, Lybrand and Burgess:

H. 207. Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the probate judge, judge of the county court, tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

By Mr. Williams:

H. 208. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

By Mr. Williams:

H. 209. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of the Board of Equalization in such counties.

By Messrs. Meade and Beck:

H. 214. To provide clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county other than the county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides has a population of not less than 16,150 nor more than 17,250.

By Mr. Folsom:

S. 121. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

ADJOURNMENT

At 12:10 P. M., on motion of Mr. Hawkins, the Senate adjourned until Thursday, April 20, 1967, at 4 o'clock P. M.

TWENTY-FOURTH LEGISLATIVE DAY

THURSDAY, APRIL 20, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Dr. Wilbur L. Walton, Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson	Oden	

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Third Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Adams for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 171. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Vincent in Shelby County so as to annex certain territory to the Town of Vincent, Alabama.

Also:

H. 172. Relating to law enforcement in Shelby County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Also:

H. 173. To provide a stenographic secretary or the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit.

Also:

H. 182. To apply only in counties having populations of not more than 10,800 inhabitants; providing for insurance of county officers and employees and their dependents; giving the Act retroactive effect.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Downing:

H. J. R. 80. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the Senate adjourns today they adjourn to meet again on Thursday, April 20, 1967, and when they adjourn April 20, they adjourn to meet against on Tuesday, April 25, 1967, and when the House adjourns today, it adjourns to meet again on Tuesday, April 25, 1967.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 80, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RECESS

At 4:20 P. M., on motion of Mr. Turner, the Senate took a recess until 5:30 P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson	Oden	

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RECESS

At 5:32 P. M., on motion of Mr. Childs, the Senate took a recess until 6:30 P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson	Oden	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 81. WHEREAS Mr. Edward M. Lindsey of Lawrenceburg, Tennessee, who will speak to the Auburn Lions Club on ladies' night on April 25, 1967, was last year elected president of Lions International in Madison Square Garden in New York City; and

WHEREAS Lion Lindsey has had a perfect attendance record since he joined the Lawrenceburg Lions Club in 1946, since which time he has served effectively in many capacities including as president of the Lawrenceburg Lions Club, as zone chairman, district governor, director for the organization and as first vice-president immediately prior to his election as president; and

WHEREAS Mr. Lindsey, who is a successful furniture manufacturer, is active in civic, social and religious work in Lawrenceburg. He is a former mayor of his city and in 1955 was named Tennessee's outstanding mayor. He served as a pilot in World War II and continued his military service with the Tennessee National Guard until his retirement after twenty years of service. He has long been interested in history, and for his outstanding contributions to the Lawrence County Historical Society, he was awarded a life membership in that organization. He was for fifteen years chairman of the Lawrence County National Polio Foundation and has for many years been active in the Methodist Church, working on the church's board of stewards and as a lay speaker; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend a most cordial welcome to Mr. Lindsey to our State and commend him for his many and varied outstanding contributions to his area of the South and to the Lions International organization.

RESOLVED FURTHER That copies of this resolution be sent to Mr. Lindsey and to the Auburn Lions Club.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 81, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Tuck:

H. J. R. 82. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we lament the recent death of an outstanding educator of this State, Mr. Guy W. Smith, whose many services and contributions toward promoting education in this state included among them classroom teaching, school administration, recruitment of college students and a constant and active interest in encouraging young students to take advantage of all the opportunities available for furthering their education.

BE IT FURTHER RESOLVED That we are gratified by the knowledge that an educational scholarship fund has been established in memory of Mr. Smith. This is a particularly appropriate method of honoring a man who acquired his education at Alabama colleges and then devoted more than forty years of his life toward skillfully applying the principles he learned there to the benefit of the public schools and colleges of Alabama and imbuing the youth of this State with a desire for higher education.

BE IT ALSO RESOLVED That the sincere sympathy of this body is extended to the surviving members of Mr. Smith's family. May their grief be ameliorated to at least a small extent by the fact that his memory will live on and his most cherished aims be furthered by the scholarship fund which has been established in loving memory of him.

A duly authenticated copy of this resolution shall be transmitted by the clerk of the House of Representatives to Mr. Smith's family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Branyon, the Rules were suspended and the Resolution, H. J. R. 82, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mays:

H. 205. To provide for the relief of M. Benenson of Atmore, from the treasury of Escambia County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the relief of M. Benenson, of Atmore, from the treasury of Escambia County.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of one thousand and five hundred dollars (\$1,500) is hereby appropriated from the general fund of Escambia County for the relief of M. Benenson, of Atmore, as a refund of money paid into the county treasury by said Benenson on account of the forfeiture of a bail bond executed by him as surety on or about April 15, 1958, in the case of STATE OF ALABAMA v. BURNS M. BRADLER, in the Circuit Court of Escambia County, Alabama.

Section 2. The appropriation herein made shall be paid by the custodian of county funds on warrant drawn in the same manner as other warrants are drawn against such funds as provided by law.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
ESCAMBIA COUNTY.

E. R. Morrinette, Jr., being duly sworn, deposes and says that he is the PUBLISHER of THE ATMORE ADVANCE, a Weekly Newspaper published at Atmore, Escambia County, Alabama; that the notice hereto attached of Legal Notice—A Bill To Be Entitled an Act, M. Benenson Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Nov. 17, 1966

Date of 2nd publication Nov. 24, 1966

Date of 3rd publication Dec. 1, 1966

Date of 4th publication Dec. 8, 1966

Subscribed and sworn before the undersigned this 13th day of Dec. 1966.

MOLLY A. NORRIS,
Notary Public, Escambia County.

My Commission Expires Feb. 1967

E. R. MORRINETTE, JR.,
Publisher.

Also:

By Messrs. Merrill, Lybrand and Burgess:

H. 213. To apply only in counties having populations of not less than 76,000 nor more than 96,000; authorizing the governing body of any such county to appropriate county funds for the relief of persons damaged by county employees or county equipment.

Also:

By Messrs. Meade and Beck:

H. 222. To apply only in counties having populations of not less than 16,150 nor more than 17,350; providing expense allowances for clerks of the circuit courts of such counties.

Also:

By Messrs. Dobbs and Shumate:

H. 228. To apply only in counties having populations of not less than 52,000 nor more than 56,000; fixing the compensation of the secretary of the district attorney of any such county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 205, 213, 222 and 228. To the Committee on Local Legislation No. 1.

REPORTS OF COMMITTEES

Mr. Givhan, Chairman of the Standing Committee on Commerce and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill et al:

H. 7. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to exempt from the authority, jurisdiction or power of any state agency, commission, department or instrumentality to control or regulate, a foreign corporation which transacts only a portion of its business in this state and locates its principal administrative office, principal distribution or manufacturing plant or principal place of business in this state, with respect to that portion of its business transacted or property located without this state and the securities or obligations of such foreign corporation; and for other purposes.

By Mr. Merrill et al:

H. 8. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to provide for the allocation of tax obligation on real or personal property between the transferor and a foreign corporation transferee of property sold to, acquired by or transferred to such foreign corporation in connection with locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business or in connection with becoming the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state; and for other purposes.

By Mr. Merrill et al:

H. 12. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to amend section 339, Title 51, Code of Alabama 1940, relating to qualification of a foreign corporation to engage in or transact business in this state, to provide that the maximum amount of qualification fee or admission tax shall not exceed five hundred dollars for each foreign corporation which files with the department of revenue the required statement together with certified copies of resolutions by its board of directors locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business and thereafter actually locates such office, plant or place of business within this state within one year from the date of such filing, or authorizing it to become the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state and thereafter actually becomes such successor or assignee within one year from the date of such filing; and for other purposes.

RESOLUTIONS

Mr. McDermott offered the following Senate Joint Resolution, to-wit:

S. J. R. 47. WHEREAS, on Tuesday, April 4, 1967, an outstanding citizen of Mobile County, Woodie E. Byrd, was called to his eternal reward by his Creator, and

WHEREAS, Woodie Byrd was a highly respected member of his community and a devoted family man, leaving surviving him in addition to his widow, seven children, twenty-eight grandchildren and eight great grandchildren, and his loss is deeply mourned by his relatives and many friends, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA That we do express our sincere sympathy to the members of Mr. Byrd's family and offer to them the condolences of this body.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the family of Mr. Byrd.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

CONFERENCE COMMITTEE APPOINTED

The President and Presiding Officer of the Senate appointed as Conferencees on part of the Senate Messrs. Giles, Folsom and Goodwyn to reconcile the disagreement of the two Houses on the House amendment to the Bill, S. B. 23.

RECESS

At 6:40 P. M., Mr. Cooper moved that the Senate take a recess until 8 o'clock tonight.

Mr. Bailes moved as a substitute motion that the Senate take a recess until 9 o'clock tonight, which motion was lost.

Yeas 8; Nays 24.

Yeas:

Messrs.:	Childs	Gilmore	McDermott	
Albea	Dominick	Hawkins	Morrow	
Bailes				—8

Nays:

Messrs.:	Giles	Lolley	Radney	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	Nabors	Stone	
Clark	Harris	O'Bannon	Torbert	
Cooper	Jackson	Pelham	Turner	
Engel	Lindsey	Pierce	Vacca	
Folsom				—24

The question then recurred on the motion of Mr. Cooper, and at 6:43 P. M., the Senate took a recess until 8 o'clock tonight.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Engel	Hawkins	Pierce	
Albea	Folsom	Lindsey	Skidmore	
Branyon	Giles	Lolley	Torbert	
Childs	Gilmore	McDermott	Turner	
Clark	Givhan	Morrow	Vacca	
Cooper	Goodwyn	Nabors		—22

Nays:

Messrs.:	Dominick	McCarley	Radney	
Bailes	Harris	O'Bannon	Stone	
Carr	Jackson	Pelham		—10

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson	Oden		—34

RECESS

At 8:01 P. M., Mr. Turner moved that the Senate take a recess for thirty minutes. Mr. Harris moved as a substitute motion that the Senate take a recess until 9:10 P. M., which motion was adopted.

Yeas 26; Nays 4.

Yeas:

Messrs.:	Cooper	Lindsey	Pierce
Albea	Dominick	Lolley	Radney
Bailes	Gilmore	McCarley	Stone
Branyon	Givhan	McDermott	Torbert
Carr	Harris	Morrow	Turner
Childs	Hawkins	O'Bannon	Vacca
Clark	Jackson	Pelham	

—26

Nays:

Messrs.:	Giles	Goodwyn	Nabors
Folsom			

—4

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson	Oden	

—34

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 14. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys so appropriated and

pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

The question was on the substitute offered by Mr. Torbert, which said substitute is set out at length in the Journal of the Senate for the Twelfth Legislative Day.

On motion of Mr. Cooper, said substitute for the Bill, S. B. 14, was indefinitely postponed.

Yeas 17; Nays 15.

Yeas:

Messrs.:	Dominick	McDermott	Pelham	
Albea	Gilmore	Morrow	Radney	
Bailes	Harris	Nabors	Stone	
Carr	Hawkins	O'Bannon	Vacca	
Childs	McCarley			—17

Nays:

Messrs.:	Engel	Goodwyn	Pierce	
Branyon	Folsom	Lindsey	Skidmore	
Clark	Giles	Lolley	Torbert	
Cooper	Givhan	Oden	Turner	—15

Mr. Cooper moved that further consideration of the Bill, S. B. 14, be indefinitely postponed, which motion was lost.

Yeas 13; Nays 20.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Branyon	Folsom	Lindsey	Skidmore	
Clark	Giles	Lolley	Turner	
Cooper	Givhan			—13

Nays:

Messrs.:	Gilmore	McDermott	Pierce	
Albea	Goodwyn	Morrow	Radney	
Bailes	Harris	Nabors	Stone	
Carr	Hawkins	O'Bannon	Torbert	
Childs	McCarley	Pelham	Vacca	
Dominick				—20

Mr. Goodwyn moved that further consideration of the Bill, S. B. 14, be postponed until the next Legislative Day.

Mr. Cooper moved as a substitute motion that further consideration of the Bill, S. B. 14, be postponed until the Twenty-Seventh Legislative Day. On motion of Mr. Carr, the motion of Mr. Cooper was laid on the table.

Yeas 24; Nays 9.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Albea	Gilmore	McDermott	Radney	
Bailes	Goodwyn	Morrow	Stone	
Branyon	Harris	Nabors	Torbert	
Carr	Hawkins	O'Bannon	Turner	
Childs	Jackson	Pelham	Vacca	
Dominick				—24

Nays:

Messrs.:	Folsom	Lindsey	Oden	
Clark	Giles	Lolley	Skidmore	
Cooper	Givhan			—9

Mr. Harris moved as a substitute motion that further consideration of the Bill, S. B. 14, be postponed until the next Legislative Day without losing its place on the Calendar, which motion was adopted.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Albea	Engel	McCarley	Pierce	
Bailes	Gilmore	McDermott	Stone	
Carr	Goodwyn	Morrow	Turner	
Childs	Harris	Nabors	Vacca	
Clark	Hawkins	O'Bannon		—22

Nays:

Messrs.:	Folsom	Lindsey	Skidmore	
Branyon	Giles	Lolley	Torbert	
Cooper	Givhan	Radney		—10

MOTION TO ADJOURN LOST

At 10:02 P. M., Mr. Oden moved that the Senate adjourn until 10 o'clock tomorrow, which motion was lost.

Yeas 6; Nays 26.

Yeas:

Messrs.:	Jackson	Oden	Turner	
Branyon	Lindsey	Skidmore		—6

Nays:

Messrs.:	Dominick	Hawkins	Pelham	
Albea	Engel	Lolley	Pierce	
Bailes	Giles	McCarley	Radney	
Carr	Gilmore	McDermott	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Goodwyn	Nabors	Vacca	
Cooper	Harris	O'Bannon		—26

BILLS ON THIRD READING RESUMED

The Bill:

S. 15. To amend further Sections 655 and 657 of Title 51, Code of Alabama (1940), which provide for the use of a portion of the State Gasoline Excise Tax.

was taken up.

Mr. Cooper moved that further consideration of the Bill, S. B. 15, be postponed until the next Legislative Day, which motion was lost.

Yeas 15; Nays 16.

Yeas:

Messrs.:	Engel	Goodwyn	Radney	
Branyon	Folsom	Jackson	Skidmore	
Clark	Giles	Lindsey	Stone	
Cooper	Givhan	Lolley	Vacca	—15

Nays:

Messrs.:	Dominick	McCarley	O'Bannon	
Albea	Gilmore	McDermott	Pelham	
Bailes	Harris	Morrow	Pierce	
Carr	Hawkins	Nabors	Torbert	
Childs				—16

RECESS

At 10:10 P. M., on motion of Mr. Nabors, the Senate took a recess for five minutes.

Yeas 19; Nays 11.

Yeas:

Messrs.:	Dominick	McCarley	Pelham	
Albea	Gilmore	McDermott	Pierce	
Bailes	Harris	Morrow	Skidmore	
Carr	Hawkins	Nabors	Torbert	
Childs	Jackson	O'Bannon	Vacca	—19

Nays:

Messrs.:	Engel	Givhan	Lolley	
Branyon	Folsom	Goodwyn	Radney	
Cooper	Giles	Lindsey	Stone	—11

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

MOTION IN WRITING

Mr. Cooper offered the following Motion in Writing, to-wit:

“Motion in Writing”

“I move that when the Senate adjourns today it adjourn to meet again on Friday, April 21, at 12:01 A. M.”

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Senate proceeded to further consideration of the Bill:

S. 15. To amend further Sections 655 and 657 of Title 51, Code of Alabama (1940), which provide for the use of a portion of the State Gasoline Excise Tax.

Mr. Nabors offered the following substitute for the Bill, S. B. 15, to-wit:

Substitute for S. B. 15

A BILL
TO BE ENTITLED
AN ACT

To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, excluding those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. The proceeds of the excise tax levied by Code of Alabama 1940, Title 51, Chapter 20, Article 5, less the cost of collecting and administering said article and also less the proceeds thereof derived from aviation fuel and from marine gasoline, as such terms are used in Code of Alabama 1940, Title 51, Section 647, as amended, shall be paid into the state treasury and allocated and distributed as follows:

(a) Ten percent of such proceeds per annum shall be credited to the sixty-seven counties of this state, and shall be divided and distributed equally among the sixty-seven counties of this state.

(b) Thirty-three percent of said proceeds (before deduction of the above mentioned equal allocation to the sixty-seven counties) shall also be allocated to the sixty-seven counties, and distributed as follows: One-third of such thirty-three percent shall be distributed to the several counties of the basis of population, each county receiving such part of this thirty-three percent of the proceeds as its population is of the whole state's population. For purposes of this distribution the most recent federal decennial census shall be used to determine the population of the state and of the several counties. One-third of such thirty-three percent shall be distributed to the several counties on the basis of the revenue of motor vehicle licenses during the previous year in each county, each county receiving such percentage of this one-third of the thirty-three percent as the revenue of motor vehicle licenses in such county for the previous year is of all the motor vehicle license revenue in Alabama for such year. The remaining one-third of this thirty-three percent shall be distributed to the several counties on the basis of the number of miles of county roads in each county at the close of the prior fiscal year weighted by the cost per mile of such roads, each county receiving such percentage of this one-third of said thirty-three percent as the cost of county roads in such county is of the total cost of county roads in all the counties of the state. The director of the state highway department shall ascertain the number of miles of county roads in each county and shall determine the cost per mile thereof. The cost shall be determined by the average cost of maintenance per mile in said county in the prior year; also the cost per mile of new construction in said county, excluding right of way acquisition and bridge construction. He shall also determine the total number of miles of county roads in the whole state and the cost per mile thereof. He shall certify his findings and determinations to the state comptroller as soon after this act becomes effective as possible and he shall revise and correct such certificates in September of each year. Payment of the amounts hereinabove allocated to the several counties shall be made by the state warrant to be mailed to the treasurer of each county, or to the county depository, on or before the tenth day of each month following collection.

(c) Twelve percent of said revenues (before deduction of any other allocations) shall be allocated to the various incorporated municipalities of the State of Alabama to be divided as follows:

(1) Forty percent of said twelve percent shall be divided to the various municipalities based on population in the municipalities according to the most recent federal decennial census. Each municipality shall receive the proportion of this forty percent as the population in the municipality bears to the total population in all the incorporated municipalities in the State of Alabama.

(2) Sixty percent of said twelve percent shall be divided to the various municipalities based on the number of miles of streets and roads which are inside the boundaries of said municipality. Said mileage figure shall be certified by the governing board or city engineer of each municipality. Each municipality shall receive that proportionate share of said sixty percent of the twelve percent which the total number of miles of streets and roads in said municipality bears relation to the total number of miles of roads and streets in the incorporated municipalities in Alabama.

The remainder of said revenues shall be paid into the state treasury to the credit of the highway department for the public road and bridge fund.

Section 2. Unless the use thereof is inconsistent with the provisions of this act the proceeds of the excise tax levied by said Article 5 of Chapter 20, Title 51, Code of Alabama 1940, as amended or supplemented, accruing to the several counties and to the state highway department from such tax may continue to be used for the same purposes for which they can be legally used when this act becomes law.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended and 657, as amended are hereby amended but not repealed, and all other laws in conflict herewith are hereby repealed.

Section 5. The substantive provisions of this act shall become effective October 1, 1967; however, for the purpose of performing any administrative or clerical duties preparatory to effectuating the provisions hereof, this act shall become effective immediately upon its passage and approval by the governor or its otherwise becoming law.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following motion in writing, to-wit:

Motion in Writing by Mr. Cooper—Relative to adjournment of the Senate.

and ordered same returned to the Senate with a favorable report.

ADJOURNMENT

The hour of Twelve o'clock Midnight having arrived, the Chair declared the Senate adjourned until Friday, April 21, 1967, at 10 o'clock A. M., pending further consideration of the Bill, S. B. 15, and the Motion in Writing offered by Mr. Cooper.

TWENTY-FIFTH LEGISLATIVE DAY

FRIDAY, APRIL 21, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend W. H. Swearingen, Pardon and Parole Board, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Lindsey	Pelham
Albea	Folsom	Lolley	Pierce
Bailes	Gilmore	McCarley	Radney
Branyon	Givhan	McDermott	Skidmore
Carr	Goodwyn	Morrow	Stone
Childs	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick			

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE

ON

REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fourth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Adams, Giles and Leonard for today.

RECESS

At 10:12 A. M., on motion of Mr. Cooper, the Senate took a recess until 10:30 A. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Lybrand and Burgess:

H. 213. To apply only in counties having populations of not less than 76,000 nor more than 96,000; authorizing the governing body of any such county to appropriate county funds for the relief of persons damaged by county employees or county equipment.

By Mr. Mays (with notice and proof):

H. 205. To provide for the relief of M. Benenson of Atmore, from the treasury of Escambia County.

By Messrs. Meade and Beck:

H. 222. To apply only in counties having populations of not less than 16,150 nor more than 17,350; providing expense allowances for clerks of the circuit courts of such counties.

By Messrs. Dobbs and Shumate:

H. 228. To apply only in counties having populations of not less than 52,000 nor more than 56,000; fixing the compensation of the secretary of the district attorney of any such county.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Wright, Malone and Owens (W. E.):

H. 186. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws, including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lybrand (with substitute):

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

By Mr. Lybrand (with substitute):

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

By Mr. Lybrand (with substitute):

H. 221. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cook (J) et al:

H. 82. To amend Title 51, section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline so as to effect a reduction in the rate of taxation of gasoline and other fuels used to propel aircraft.

By Mr. Cook (J) et al:

H. 84. To prohibit cities and towns from levying or imposing new or additional taxes, licenses, or excises on gasoline or any substitute therefor which is consumed as aviation fuel.

Mr. Morrow, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jackson (T), et al (with notice and proof):

H. 225. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jakie Wayton \$704.00; and Tom Williams \$850.00.

By Messrs. House, et al (with notice and proof):

H. 226. To alter, rearrange and extend the boundaries of the town of Brownville, Alabama, so as to include within the corporate limits thereof certain additional territory in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, T18S, R4W, Jefferson County, Alabama.

BILL RECALLED AND RE-REFERRED

On motion of Mr. Albea, unanimous consent was given for the Bill, H. B. 14, to be recalled from the Standing Committee on Finance and Taxation.

Mr. Albea then moved that said Bill, H. B. 14, be re-referred to the Standing Committee on Local Legislation No. 1, which motion was adopted, and said Bill, H. B. 14, was ordered re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Local Legislation No. 1.

UNFINISHED BUSINESS

The Senate proceeded to the first order of Unfinished Business for today, which was the Motion in Writing by Mr. Cooper:

"I move that when the Senate adjourns today, it adjourn to meet again on Friday, April 21, at 12:01 A. M."

Mr. Torbert raised the Point of Order that the motion was now moot, which Point of Order was sustained by the Chair.

BILLS ON THIRD READING

The Senate then proceeded to the next order of Unfinished Business for today, which was the Bill:

S. 15. To amend further Sections 655 and 657 of Title 51, Code of Alabama (1940), which provide for the use of a portion of the State Gasoline Excise Tax.

The question was on the substitute offered by Mr. Nabors for the Bill, S. B. 15, which said substitute is set out at length in the Journal of the Senate for the Twenty-Fourth Legislative Day.

On the point of order being raised, the Chair ruled that the substitute offered by Mr. Nabors for the Bill, S. B. 15, is germane.

Mr. Nabors offered the following amendment to the substitute for the Bill, S. B. 15, to-wit:

Amendment to Substitute for S. B. 15

Amend Section 1 of Substitute for S. B. 15 by inserting at the end of subsection (b) of said Section 1 in words and figures as follows:

"(1) It is provided, however, that in the event the total distribution to any county as provided above, when added to the distribution received by a county from the levy of a special registration fee on each motor vehicle licensed in the state enacted subsequent to April 1, 1967, shall equal less than \$500,000 per annum, there shall be an additional sum credited to each such county so that the total distribution to such county shall equal not less than \$500,000 per annum.

The sums required to provide the additional credit allocated in this subsection (1) shall be deducted from the revenues paid into the state treasury to the credit of the highway department for the public road and bridge fund as provided for herein."

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 15, was then adopted by the Senate.

Yeas 20; Nays 9.

Yeas:

Messrs.:	Folsom	Morrow	Radney	
Albea	Gilmore	Nabors	Skidmore	
Bailes	Harris	O'Bannon	Torbert	
Carr	Hawkins	Pelham	Turner	
Dominick	McDermott	Pierce	Vacca	
Engel				—20

Nays:

Messrs.:	Cooper	Lolley	Oden	
Branyon	Jackson	McCarley	Stone	
Clark	Lindsey			—9

And said Bill, S. B. 15, as thus amended by the substitute, was read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 8.

Yeas:

Messrs.:	Folsom	Nabors	Skidmore	
Albea	Gilmore	O'Bannon	Stone	
Bailes	Harris	Pelham	Torbert	
Carr	Hawkins	Pierce	Turner	
Dominick	McDermott	Radney	Vacca	
Engel	Morrow			—21

Nays:

Messrs.:	Cooper	Lindsey	McCarley	
Branyon	Givhan	Lolley	Oden	
Clark				—8

The Bill:

S. 14. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations pay-

able solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

was taken up.

Mr. Harris offered the following amendment to the Bill, S. B. 14, to-wit:

AMENDMENT TO S. B. 14

In Section 2, strike out the first sentence and insert in lieu thereof the following: "The bonds, which may be issued in one or more series, shall be in such forms and denomination and of such tenor, shall bear such rate or rates of interest payable and evidence in such manner, and may contain other positions not inconsistent with this act, or as may be provided in the resolution or resolutions of the board of directors of the corporation wherein the bonds are authorized to be issued; provided however, that any such bonds issued shall be payable in substantially equal installments of principal and interest beginning in the next fiscal year after their date; provided further that none of the bonds shall have a specified maturity date later than 20 years after their date; and provided further, that no bonds may be sold or issued by the corporation unless the Governor shall have first determined that the issuance of the bonds proposed to be issued will be necessary to assure the availability of funds for payment of the State's share of the cost of roads and bridges that shall from time to time be constructed with funds supplied jointly by the State and Federal Government."

On motion of Mr. Harris, said amendment was laid on the table.

Mr. Harris then offered the following substitute for the Bill, S. B. 14, to-wit:

Substitute for S. B. 14

A BILL TO BE ENTITLED AN ACT

To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application

of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Authorization to Issue Additional Bonds. Alabama Highway Authority ("the corporation"), which was heretofore incorporated pursuant to the provisions of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama ("the 1955 Act"), shall have the power, and is hereby authorized and empowered, to sell and issue its bonds not exceeding \$160,000,000 in aggregate principal amount, and to refund all or any thereof by the issuance of refunding bonds (all such bonds, including refunding bonds, being herein collectively referred to as "the bonds"). The powers conferred on the corporation by this act are in addition to all powers heretofore conferred on the corporation by the 1955 Act, by Act No. 45 adopted at the First Special Session of 1959 of the Legislature of Alabama and by Act No. 26 adopted at the First Special Session of 1963 of the Legislature of Alabama, or by any of them.

Section 2. Details Respecting the Bonds. The bonds, which may be issued in one or more series, shall be in such forms and denominations and of such tenor and maturities, shall bear such rate and rates of interest payable and evidenced in such manner, and may contain other provisions not inconsistent with this act, all as may be provided in the resolution or resolutions of the board of directors of the corporation wherein the bonds are authorized to be issued; provided, that none of the bonds shall have a specified maturity date later than twenty years after its date. The corporation may at its election retain in the resolution or resolutions under which any of the bonds are issued an option to redeem all or any thereof and at such redemption price or prices and after such notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and as may be briefly recited in the face of the bonds with respect to which such option of redemption is retained. With respect to those of the bonds having stated maturities more than ten years after the date thereof, the corporation shall retain in the resolution or resolutions authorizing their issuance an option to redeem, at the expiration of the tenth year following the date thereof and on any interest payment date thereafter, all or any of the bonds having stated maturities after the expiration of the tenth year following their date, at such redemption price or prices and after such redemption notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and briefly recited in the face of the bonds.

Section 3. Execution of the Bonds. The bonds shall be signed by the president of the corporation and attested by its secretary, and all interest coupons applicable to the bonds shall be signed by the president of the corporation; provided, that a facsimile of the signature of one, but not of both, of said officers may be printed or otherwise reproduced on any of the bonds in lieu of their being manually signed, and a facsimile of the president's signature may be printed or otherwise reproduced on any of the interest coupons in lieu of their being manually signed. The seal of the corporation shall be impressed on the bonds, provided that a facsimile of said seal may be printed or otherwise reproduced on any of the bonds in lieu of being manually impressed thereon.

Section 4. Sale of the Bonds. Each series of the bonds shall be sold at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the corporation for the bonds being sold, computed from the date of those at the time being sold to their respective maturities; provided, that if no bid acceptable to the corporation is received it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the state which is customarily published not less often than six days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The board of directors may fix the terms and conditions under which each such sale may be held; provided, that none of the bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this act. Approval by the Governor of Alabama of the terms and conditions under which any of the bonds may be issued shall be requisite to their validity. Such approval shall be entered on the minutes of the respective meetings of the board of directors at which the bonds proposed to be issued are authorized, and shall be signed by the Governor. The approval by the Governor may be shown on the bonds by the signature of the Governor imprinted or otherwise reproduced thereon if the said approval signed by the Governor and entered on the said minutes shall authorize the said approval to be so shown on the bonds. Neither a public hearing nor consent by the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the bonds.

Section 5. Bonds to be Limited Obligations; Pledge Therefor. The bonds shall not be general obligations of the corporation but shall be payable solely out of the funds appropriated and pledged therefor in Section 9 of this act. As security for the payment of the principal of and interest on the bonds issued by it under this act, the corporation is hereby authorized and empowered to pledge for payment of the said principal and interest the funds that are appropriated and pledged in Section 9 of this act for payment of the said principal and interest. All such pledges made by the corporation shall take precedence in the order of the adoption of the resolutions containing such pledges. All contracts made and all bonds issued by the corporation pursuant to the provisions of this act shall be solely and exclusively obligations of the corporation and shall not be an obligation or debt of the state. The bonds shall be construed to be negotiable instruments although payable solely from a specified source as herein provided.

Section 6. Bonds and Income Thereon Exempt From Taxation; Bonds May be Used to Secure Deposits and for Investment of Fiduciary Funds. The bonds and the income therefrom shall be exempt from all taxation in the state. Any of the bonds may be used by the holder thereof as security for the deposit of any funds belonging to the state

or to any instrumentality or agency of the state in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in any of the bonds.

Section 7. Refunding Bonds. Subject to the provisions contained in this act, the corporation may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the corporation issued under this act and then outstanding, together with any premium that may be necessary to be paid in order to redeem or retire the bonds proposed to be refunded. The limitation provided for in Section 1 of this act on the amount of bonds authorized in this act shall not apply to the said refunding bonds.

Section 8. Use of Proceeds of Bonds. The corporation shall pay out of the proceeds from the sale of any of the bonds all expenses which the said board of directors may deem necessary or advantageous in connection with the sale and issuance of the bonds. The proceeds of the bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the state treasury, shall be carried in the public road and bridge fund, and shall be subject to be drawn on by the corporation, upon the approval of the highway department and the Governor, but only for the purpose of paying costs of construction, reconstruction and improvement of public highways and bridges in the state (including the acquisition of property necessary for such construction, reconstruction and improvement); provided, however, that if such action should be necessary in order to comply with any federal legislation relating to federal aid in highway and bridge construction, the corporation may authorize the highway department to expend directly any portion of the proceeds of the bonds for payment of the state's share of the cost of any such work; provided further, that at any time when moneys may have been allocated or apportioned to the state, under the provisions of any law of the United States now in effect or hereafter enacted, for use in construction, reconstruction and improvement of public highways and bridges on the condition that the state shall pay a portion of the cost of such construction, reconstruction and improvement, then (unless the said condition shall have been otherwise met by the state, or an agency or subdivision thereof). The proceeds received during any fiscal year of the state from the sale of any series of the bonds must be allocated (and when so allocated shall thereafter be used) only to pay the state's share of the cost of such construction, reconstruction and improvement to such extent as shall exhaust the moneys so allocated or apportioned by the United States, before being applied for other highway and bridge purposes. The proceeds from the sale of all refunding bonds issued by the corporation under this act remaining after paying the expenses of their issuance shall be turned into the state treasury and used only for the purpose of refunding the principal of bonds of the corporation theretofore issued under this act and then outstanding and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded. The provisions of the 1955 act with respect to highway and bridge construction, the letting and approval of contracts therefor, the supervision of construction work, the making of rules and regulations for protection of public ways and of the traveling public shall apply to the highways and bridges constructed and reconstructed with proceeds from the bonds; provided, however, that the said provisions shall so apply only to the extent that they are not in conflict with any federal legislation, regulation, or requirement relating to federal aid in highway and bridge construction.

Section 9. Appropriation of Revenues to the Corporation; Pledge Thereof for the Benefit of the Bonds. For the purpose of providing funds to enable the corporation to pay at their respective maturities the principal of and interest on the bonds that may be issued by it under the provisions of this act and to accomplish the purposes and objects of its creation, there hereby is irrevocably pledged to said purpose and appropriated so much as may be necessary for said purpose of the following:

(A) No section of this act shall be construed in such a way as to upset prior liens pledged to the funding of principal and interest of bonds sold prior to the passage of this act. All money out of the state's portion of the gasoline excise tax which is not used in any one year to pay the apportionate principals and interest on prior bonded indebtedness shall hereby be pledged to the payment of principal and interest on the bond authorized in section one of this act.

(B) To such an extent and to such extent only as the revenue appropriated under the foregoing section A of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds so much as may be necessary for such purpose of that portion of the proceeds from the motor vehicle licenses and registration fees that is provided to be distributed to the State of Alabama (herein called "the state") pursuant to the provisions of Section 713 of Title 51, Code of Alabama 1940, as amended; and

(C) To such extent and to such extent only as the revenues appropriated under the foregoing subsections (A and B) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds, so much as may be necessary for such purpose (when added to the amounts appropriated in the said subsection (A) of that portion of the highway gasoline tax net proceeds that is referred to in subsection (a) of Section 657 of Title 51 of the Code of Alabama of 1940, as amended, after there shall have been taken therefrom the amounts necessary for the purposes specified in clauses (1) and (2) of subsection (a) of the said Section 657, as amended.

All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and the interest on the bonds. As security for the payment of the principal of and interest on the bonds issued under this act, the corporation is authorized to pledge the proceeds of the appropriation and pledge herein provided for. The term "highway gasoline tax net proceeds," wherever used in this act, shall be deemed to have the meaning given that term as defined in the said Section 657, as amended.

Section 10. Required Coverage. No series of the bonds shall be issued at any time if the aggregate amount of principal and interest maturing with respect to the series of the bonds during any fiscal year of the state, when added to the total principal and interest maturing during the same fiscal year on (a) those bonds of the corporation then outstanding that were issued under this act, and (b) those bonds heretofore issued by Alabama Highway Finance Corporation, a public corporation created under Act No. 228 adopted at the 1965 Regular Session of the Legislature of Alabama, would exceed fifty per centum (50%) of the sum of the following: (1) an amount equal to that portion of the highway gasoline tax net proceeds referred to in subsection (a) of Section 657 of Title 51 of the Code of Alabama of 1940, as amended, collected by the state during the fiscal year next preceding the fiscal year during which the said proposed bonds are to be issued, less the total amount required to be set aside during each fiscal year pursuant to clause (1) of the said subsection (a), and (2) whichever of the follow-

ing shall be applicable (i) if the said proposed bonds are to be issued after October 1, 1968, an amount equal to that portion of the motor vehicle license taxes and registration fees required to be distributed to the state pursuant to Section 713 of the said Title 51, as amended, that were collected during the fiscal year next preceding the fiscal year during which the said proposed bonds are to be issued, or (ii) if the said proposed bonds are to be issued prior to October 1, 1968, the sum that would have been distributed to the state pursuant to the said Section 713, as amended, during the fiscal year next preceding the fiscal year during which the said proposed bonds are to be issued, if the said Section 713, as amended, had been in effect throughout the said then preceding fiscal year and if the rates for motor vehicle licenses and registration fees that will become effective October 1, 1967, had been in effect throughout the said then preceding fiscal year. The amount of the highway gasoline tax net proceeds and the amounts referred to in the foregoing clause (2) of this section shall be conclusively established by a certificate of the Commissioner of Revenue of the State.

Section 11. State Treasurer to Disburse Funds. Out of the revenues appropriated and pledged in Section 9 of this act, the State Treasurer is authorized and directed to pay the principal of and interest on the bonds at the respective maturities of said principal and interest, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 12. Severability Clause. In the event any section, sentence, clause or provision of this act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this act, which shall continue effective.

Section 13. Effective Date. This act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

Mr. Harris offered the following amendment to the substitute, for the Bill, S. B. 14, to-wit:

Amendment to substitute for S. B. 14

In Section 7 and the Preamble strike out the words "refunding bonds".

Which was adopted.

Mr. Morrow offered the following amendment to the substitute, as amended, for the Bill, S. B. 14, to-wit:

Amendment to Substitute, as amended, for S. B. 14

In Section 2, strike out the period ending the first sentence which ends with the words "after its date" and insert the following words and figures: ; and provided further, that the first payment of principal as to each series of bonds shall be made payable not later than two years after the date of their issuance.

Which was adopted.

RECESS

At 12:18 P. M., on motion of Mr. Cooper, the Senate took a recess until 1:30 P. M.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Folsom	Lolley	Stone	
Branyon	Gilmore	McCarley	Torbert	
Clark	Givhan	Oden	Turner	
Cooper	Jackson	Skidmore	Vacca	
Engel	Lindsey			—17

Nays:

Messrs.:	Dominick	McDermott	O'Bannon	
Albea	Harris	Morrow	Pelham	
Bailes	Hawkins	Nabors	Pierce	
Carr				—12

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick				—32

FURTHER CONSIDERATION OF S. B. 14

The Senate proceeded to further consideration of the Bill:

S. 14. To authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys so appropriated and pledged; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

The question was on the substitute, as amended, offered by Mr. Harris for the Bill.

Mr. Morrow then offered the following amendment to the substitute, as amended, for the Bill, S. B. 14, to-wit:

Amendment to S. B. 14 as amended

Strike out Section 8 of the bill entirely and insert in lieu thereof the following:

Section 8. Use of Proceeds of Bonds. The corporation shall pay out of the proceeds from the sale of any of the bonds all expenses which said board of directors may deem necessary or advantageous in connection with the issuance of the bonds, but no fees for fiscal agents or financial consultants, nor to any attorney other than the counsel rendering the unqualified legal opinion on the bonds issued by the corporation under this Act, shall be paid. The proceeds of the bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the state treasury, shall be carried in the public road and bridge fund, and shall be subject to be drawn on by the corporation, upon the approval of the highway department and the Governor, but only for the purpose of paying costs of construction, reconstruction and improvement of public highways and bridges in the state (including the acquisition of property necessary for such construction, reconstruction and improvement); provided, however, that if such action should be necessary in order to comply with any federal legislation relating to federal aid in highway and bridge construction, the corporation may authorize the highway department to expend directly any portion of the proceeds of the bonds for payment of the state's share of the cost of any such work; provided further, that at any time when moneys may have been allocated or apportioned to the state, under the provisions of any law of the United States now in effect or hereafter enacted, for use in construction, reconstruction and improvement of public highways and bridges on the condition that the state shall pay a portion of the cost of such construction, reconstruction and improvement, then (unless the said condition shall have been otherwise met by the state, or an agency or subdivision thereof), the proceeds received during any fiscal year of the state from the sale of any series of the bonds must be allocated (and when so allocated shall thereafter be used) only to pay the state's share of the cost of such construction, reconstruction and improvement to such extent as shall exhaust the moneys so allocated or apportioned by the United States before being applied for other highway and bridge purposes; and provided also, that no less than 130 million dollars of the proceeds of the bonds shall be used exclusively for matching federal funds allocated or apportioned to the state for use in construction, reconstruction and improvement of public highways and bridges. The proceeds from the sale of all refunding bonds issued by the corporation under this act remaining after paying the expenses of their issuance shall be turned into the state treasury and used only for the purpose of refunding the principal of bonds of the corporation theretofore issued under this act and then outstanding and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded. The provisions of the 1955 act with respect to highway and bridge construction, the letting and approval of contracts therefor, the supervision of construction work, the making of rules and regulations for protection of public ways and of the traveling public shall apply to the highways and bridges constructed and reconstructed with proceeds from the bonds; provided, however, that the said provisions shall so apply only to the extent that they are not in conflict with any federal legislation, regulation, or requirement relating to federal aid in highway and bridge construction.

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 14, was then adopted by the Senate.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Engel	Hawkins	Pelham	
Albea	Folsom	McDermott	Pierce	
Bailes	Gilmore	Morrow	Turner	
Carr	Goodwyn	Nabors	Vacca	
Dominick	Harris	O'Bannon		—18

Nays:

Messrs.:	Cooper	Lindsey	Skidmore	
Branyon	Givhan	Lolley	Stone	
Clark	Jackson	McCarley	Torbert	—11

And said Bill, S. B. 14, as thus amended by the substitute, was then read a third time at length and lost.

Yeas 12; Nays 18.

Yeas:

Messrs.:	Harris	Morrow	Pelham	
Carr	Hawkins	Nabors	Pierce	
Dominick	McDermott	O'Bannon	Vacca	
Gilmore				—12

Nays:

Messrs.:	Cooper	Jackson	Skidmore	
Albea	Engel	Lindsey	Stone	
Bailes	Folsom	Lolley	Torbert	
Branyon	Givhan	McCarley	Turner	
Clark	Goodwyn	Oden		—18

MOTION TO RECONSIDER

Mr. Turner moved that the Senate reconsider the vote by which it passed the Bill, S. B. 15, as amended.

RESOLUTION

Mr. Cooper offered the following Senate Resolution, to-wit:

S. R. 48. Be it resolved by the Senate that when it adjourns today April 21, 1967 it adjourns to meet again on April 22, 1967.

Which was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion of Mr. Turner that the Senate reconsider the vote by which it passed the Bill, S. B. 15, as amended.

Mr. Nabors moved that the motion to reconsider the vote by which the Bill, S. B. 15, was passed be postponed until the next Legislative Day as Unfinished Business, which motion was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

S. 28. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham
Bailes	Gilmore	McCarley	Pierce
Branyon	Givhan	McDermott	Skidmore
Carr	Goodwyn	Morrow	Stone
Childs	Harris	Nabors	Torbert
Clark	Hawkins	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick	Lindsey		

—29

Nays:

—0

The Bill:

S. 29. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

was taken up.

The Standing Committee on Seaports reported the following amendment to the Bill, to-wit:

Amendment to Senate Bill 29

In Section II of the bill, add at the end of the first paragraph the following:

However, if no other proposed constitutional amendment is to be submitted for a vote on the day appointed herein, no election shall be held on this proposal on such day. In such event the Alabama State Docks Department, notwithstanding any other provisions of this amendment, shall be authorized to issue its revenue bonds in such amount and manner as may have been authorized by any act enacted by the Legislature at the session at which this amendment was proposed.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Bailes	Gilmore	McCarley	Pierce	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lindsey			—29

Nays:

—0

And said Bill, S. B. 29, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Bailes	Engel	Lindsey	Pelham	
Branyon	Gilmore	Lolley	Pierce	
Carr	Givhan	McCarley	Skidmore	
Childs	Goodwyn	McDermott	Stone	
Clark	Harris	Morrow	Torbert	
Cooper	Hawkins	Nabors	Vacca	
				—27

Nays:

—0

The Bill:

S. 41. To authorize counties and municipalities to provide for establishment and operation of non-profit ambulance services.

was taken up.

Mr. McCarley offered the following substitute for the Bill, to-wit:
Substitute for S. B. 41

A BILL
TO BE ENTITLED
AN ACT

To authorize the county governing body of any county in this State to provide ambulance service either on a contract basis or by the establishment and operation of a non-profit service.

Be It Enacted by the Legislature of Alabama:

Section 1. To promote and protect the health, welfare and safety of citizens of Alabama and others traveling within this State, the governing body of any county is hereby authorized to enter into an agreement and contract with any ambulance company or organization to provide ambulance service for any person in need of such service and to appropriate county funds for such purposes.

In the event that no such contract can be feasibly negotiated, the County governing body may, in its discretion, provide for the operation of an ambulance service on a non-profit basis. Toward this end, any such governing body may appropriate public funds, employ such personnel, and purchase and maintain such ambulances, equipment and other facilities as may be needed for such purposes. Any such governing body may authorize the ambulance service to charge and collect fees for services rendered, provided that the charges shall be based solely on the cost of operating the service.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham
Bailes	Gilmore	Lolley	Pierce
Branyon	Givhan	McCarley	Skidmore
Carr	Goodwyn	McDermott	Stone
Childs	Harris	Morrow	Torbert
Clark	Hawkins	O'Bannon	Turner
Dominick	Jackson	Oden	Vacca

—27

Nays:

—0

And said Bill, S. B. 41, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Carr	Dominick	Goodwyn
Bailes	Childs	Engel	Harris
Branyon	Clark	Givhan	Hawkins

Jackson	McDermott	Pelham	Torbert
Lindsey	Morrow	Pierce	Turner
Lolley	Nabors	Skidmore	Vacca
McCarley	O'Bannon	Stone	—26
<i>Nays:</i>			—0

The Bill:

H. 6. To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lolley	Pelham
Albea	Engel	McCarley	Pierce
Bailes	Folsom	McDermott	Radney
Branyon	Givhan	Morrow	Stone
Carr	Harris	Nabors	Torbert
Childs	Hawkins	Oden	Vacca
Clark	Lindsey		—25

Nays: —0

The Bill:

H. 3. Authorizing the Director of Conservation to expend from any refunded Bureau of Outdoor Recreation monies a sum not exceeding fifty thousand dollars (\$50,000.00) for the purpose of additional construction and equipping of a public fishing pier at Gulf State Park; and to further authorize the Director of Conservation to transfer said monies not exceeding fifty thousand dollars (\$50,000.00) to the State Building Commission for such construction and equipping purposes.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Oden
Bailes	Gilmore	Lolley	Pelham
Branyon	Givhan	McCarley	Skidmore
Carr	Goodwyn	McDermott	Stone
Childs	Harris	Morrow	Torbert
Clark	Hawkins	Nabors	Turner
Dominick	Jackson	O'Bannon	Vacca
			—27

Nays: —0

The Bill:

H. 58. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Was read a third time at length as required by the Constitution and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham
Bailes	Engel	Lolley	Pierce
Branyon	Givhan	McCarley	Skidmore
Carr	Goodwyn	McDermott	Stone
Childs	Harris	Morrow	Torbert
Clark	Hawkins	Nabors	Turner
Cooper	Jackson	O'Bannon	Vacca

—27

Nays:

—0

The Bill:

H. 54. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham
Bailes	Engel	Lolley	Pierce
Branyon	Givhan	McCarley	Skidmore
Carr	Goodwyn	McDermott	Stone
Childs	Harris	Morrow	Torbert
Clark	Hawkins	Nabors	Turner
Cooper	Jackson	O'Bannon	Vacca

—27

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Turner, further consideration of the Bill, S. B. 48, was indefinitely postponed by the Senate.

On motion of Mr. Goodwyn, further consideration of the Bill, S. B. 52, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 109. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Pelham
Bailes	Engel	Lolley	Pierce
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Jackson	O'Bannon	Vacca

—27

Nays:

—0

The Bill:

S. 92. To change the time of meeting of the legislature in regular sessions; amending Code of Alabama Title 32, Section 4.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nays 2.

Yeas:

Messrs.:	Engel	Lindsey	O'Bannon
Bailes	Gilmore	Lolley	Pelham
Branyon	Givhan	McCarley	Pierce
Carr	Goodwyn	McDermott	Skidmore
Cooper	Harris	Morrow	Torbert
Dominick	Jackson	Nabors	Vacca

—23

Nays: Messrs.: Childs, Clark

—2

The Bill:

H. 174. Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Albea	Gilmore	Lolley	Pierce	
Bailes	Givhan	McCarley	Radney	
Branyon	Goodwyn	Nabors	Skidmore	
Carr	Harris	O'Bannon	Torbert	
Dominick	Hawkins	Oden	Vacca	
Engel	Jackson			—25

Nays:

—0

The Bill:

H. 67. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

was taken up.

Mr. Pierce offered the following amendment to the Bill, to-wit:

Amendment to H. B. 67

In Section 1, strike out the words "The administrator shall be at the time of his appointment a resident of the state of Alabama and he shall have resided in the state for at least five years continuously prior to his appointment", and insert the words: "The administrator shall be a qualified elector of the state of Alabama."

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 15; Nays 9.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham	
Branyon	Engel	Lolley	Stone	
Carr	Gilmore	McCarley	Turner	
Childs	Givhan	O'Bannon	Vacca	
				—15

Nays:

Messrs.:	Dominick	Morrow	Pierce	
Bailes	Harris	Nabors	Skidmore	
Clark	McDermott			—9

Mr. Dominick offered the following amendment to the Bill, H. B. 67, to-wit:

AMENDMENT TO H. B. 67

Amend House Bill No. 67 by striking from Section 1 the following sentence:

"The administrator shall be at the time of his appointment a resident of the state of Alabama and he shall have resided in the state for at least five years continuously prior to this appointment."

Insert in lieu thereof the following sentence:

"The administrator shall be at the time of his appointment a resident of the state of Alabama and he shall have resided in the state for at least eight years continuously prior to his appointment."

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 22; Nays 6.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Branyon	Gilmore	Lolley	Skidmore	
Carr	Givhan	McCarley	Stone	
Childs	Goodwyn	McDermott	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson	Oden		—22

Nays:

Messrs.:	Dominick	Morrow	Pierce	
Bailes	Harris	Nabors		—6

And said Bill, H. B. 67, was then read a third time at length and passed.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Engel	McCarley	Pelham	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Carr	Hawkins	Nabors	Torbert	
Childs	Jackson	O'Bannon	Turner	
Clark	Lindsey	Oden	Vacca	
Cooper	Lolley			—25

Nays:

Messrs.:	Dominick	Harris	Pierce	
				—3

RECESS

At 5:10 P. M., Mr. O'Bannon moved that the Senate adjourn until Tuesday, April 25, 1967, at 2 o'clock P. M.

Mr. Cooper moved as a substitute motion that the Senate take a recess for 30 minutes.

Mr. Bailes raised the following Point of Order: Does a motion to recess take precedence over a motion to adjourn?

The Chair ruled that any substitute motion is in order as long as it is a motion to adjourn, and a motion to recess is in essence a motion to adjourn.

Therefore, at 5:15, on motion of Mr. Cooper, the Senate took a recess until 5:45 P. M.

Yeas 17; Nays 11.

Yeas:

Messrs.:	Engel	Lolley	Stone	
Branyon	Givhan	McCarley	Torbert	
Childs	Goodwyn	Oden	Turner	
Clark	Jackson	Skidmore	Vacca	
Cooper	Lindsey			—17

Nays:

Messrs.:	Gilmore	McDermott	O'Bannon
Bailes	Harris	Morrow	Pelham
Dominick	Hawkins	Nabors	Pierce

—11

PAIRED VOTE ANNOUNCED

Mr. Carr announced that he was paired with Mr. Folsom on this vote; Mr. Folsom, if present, would vote "Aye", and he, Mr. Carr, would vote "Nay".

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

BILLS ON THIRD READING RESUMED

The Bill:

S. 108. To authorize all counties, all municipalities and all public hospitals in the state to create, establish, maintain and operate ambulance services on a profit or nonprofit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve counties, municipalities and public hospitals furnishing such service from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

Judiciary Committee amendment to S. B. 108

Amend the above bill by omitting from the bill Section 3 entirely and re-numbering the remaining sections accordingly.

Also amend the title to S. B. 108 so that the same shall read as follows:

"To authorize all counties, all municipalities and all public hospitals in the state to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden
Bailes	Engel	Lindsey	Pelham
Branyon	Gilmore	Lolley	Pierce
Carr	Givhan	McCarley	Skidmore
Childs	Goodwyn	McDermott	Stone
Clark	Harris	Morrow	Torbert
Cooper	Hawkins	Nabors	Vacca

—27

Nays:

—0

And said Bill, S. B. 108, as thus amended, was then read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Bailes	Givhan	McCarley	Pierce	
Branyon	Goodwyn	McDermott	Skidmore	
Carr	Harris	Morrow	Stone	
Childs	Hawkins	Nabors	Torbert	
Clark	Jackson	O'Bannon	Vacca	
Cooper	Lindsey	Oden		—26

Nay: Mr. Dominick —1

The Bill:

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

was taken up.

Mr. Clark offered the following amendment to the Bill, to-wit:

Amendment to H. B. 188

Strike out all of Section 4 except the first sentence thereof.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Torbert	
Clark	Harris	Oden	Vacca	
Dominick	Hawkins			—25

Nays: —0

And said Bill, H. B. 188, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Albea	Folsom	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Branyon	Givhan	McDermott	Skidmore	
Carr	Goodwyn	Morrow	Torbert	
Clark	Harris	Oden	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 189. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell

County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Albea	Folsom	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Stone	
Branyon	Givhan	Morrow	Torbert	
Carr	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 190. To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pelham	
Albea	Engel	McCarley	Pierce	
Bailes	Folsom	Morrow	Radney	
Branyon	Gilmore	Nabors	Torbert	
Carr	Harris	O'Bannon	Turner	
Childs	Hawkins	Oden	Vacca	
Clark	Jackson			—25

Nays: —0

The Bill:

H. 191. Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McDermott	Pierce	
Albea	Givhan	Morrow	Radney	
Bailes	Goodwyn	Nabors	Stone	
Carr	Harris	O'Bannon	Torbert	
Clark	Hawkins	Oden	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	McCarley			—25

Nays: —0

The Bill:

H. 192. Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Radney
Branyon	Gilmore	Nabors	Skidmore
Carr	Harris	O'Bannon	Stone
Childs	Hawkins	Oden	Torbert
Clark	Jackson	Pelham	Turner
Dominick	Lindsey	Pierce	Vacca
Engel	Lolley		

—25

Nays:

—0

The Bill:

H. 193. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Radney
Albea	Folsom	Lolley	Skidmore
Bailes	Gilmore	McDermott	Stone
Branyon	Givhan	Morrow	Torbert
Carr	Goodwyn	Nabors	Turner
Clark	Harris	Oden	Vacca
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

H. 194. Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham
Albea	Folsom	McCarley	Pierce
Bailes	Gilmore	McDermott	Radney
Branyon	Givhan	Morrow	Skidmore
Carr	Goodwyn	Nabors	Torbert
Clark	Harris	O'Bannon	Vacca
Dominick	Lindsey		

—25

Nays:

—0

The Bill:

H. 195. To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Radney	
Albea	Folsom	Nabors	Skidmore	
Bailes	Harris	O'Bannon	Stone	
Branyon	Hawkins	Oden	Torbert	
Carr	Jackson	Pelham	Turner	
Clark	Lindsey	Pierce	Vacca	
Dominick	Lolley			—25

Nays:

—0

The Bill:

H. 196. Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Radney	
Albea	Givhan	McDermott	Skidmore	
Bailes	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Dominick	Jackson	Oden	Vacca	
Engel	Lindsey			—25

Nays:

—0

The Bill:

H. 197. To provide for compensation of jurors in Russell County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Branyon	Gilmore	Lolley	Pierce	
Carr	Givhan	Morrow	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris	O'Bannon	Turner	
Dominick	Hawkins	Oden	Vacca	
Engel	Jackson			—25

Nays:

—0

The Bill:

S. 106. To amend further Code of Alabama Title 17, Section 272, relating to permissible political campaign expenditures.

was taken up.

The Standing Committee on Privileges and Elections reported the following amendment to the Bill, to-wit:

Amendment to S. B. 106

In Section 1, strike out the words "thirteenth, twenty-eighth and thirty-third" and insert "twelfth, twenty-first and twenty-fourth"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Bailes	Givhan	McDermott	Skidmore	
Branyon	Goodwyn	Morrow	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Pelham	Vacca	
Dominick	Lolley			—25

Nays:

—0

And said Bill, S. B. 106, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pierce	
Bailes	Engel	McCarley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Carr	Goodwyn	Morrow	Torbert	
Childs	Harris	Nabors	Turner	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Jackson	Pelham		—26

Nays:

—0

The Bill:

H. 146. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to permit certain spouses of certain students to vote in such elections.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Lolley	Pelham	
Bailes	Engel	McCarley	Pierce	
Branyon	Gilmore	McDermott	Stone	
Carr	Givhan	Morrow	Torbert	
Childs	Goodwyn	Nabors	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Hawkins	Oden		—26

Nays:

—0

The Bill:

H. 169. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of intention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	O'Bannon
Bailes	Engel	Lolley	Skidmore
Branyon	Gilmore	McCarley	Stone
Carr	Goodwyn	McDermott	Torbert
Childs	Harris	Morrow	Turner
Clark	Hawkins	Nabors	Vacca
Cooper	Jackson		

—25

Nays:

—0

The Bill:

H. 163. To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pierce
Albea	Folsom	McCarley	Radney
Bailes	Gilmore	McDermott	Skidmore
Carr	Givhan	Morrow	Stone
Clark	Goodwyn	Oden	Torbert
Cooper	Jackson	Pelham	Vacca
Dominick	Lindsey		

—25

Nays:

—0

The Bill:

H. 31. To require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Was read a third time at length and passed.

Yeas 21; Nays 4.

Yeas:

Messrs.:	Childs	Dominick	Givhan
Bailes	Clark	Engel	Hawkins
Carr	Cooper	Gilmore	Lindsey

Lolley	Nabors	Stone	Turner	
McDermott	Pelham	Torbert	Vacca	
Morrow	Pierce			—21

Nays:

Messrs.:	Goodwyn	Harris	Skidmore	
Branyon				—4

The Bill:

S. 118. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jakie Wayton \$704.00; and Tom Williams \$850.00.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Pierce	
Bailes	Gilmore	Morrow	Radney	
Carr	Goodwyn	Nabors	Skidmore	
Childs	Harris	O'Bannon	Stone	
Cooper	Hawkins	Oden	Torbert	
Dominick	Lindsey	Pelham	Vacca	
Engel	Lolley			—25

Nays: —0

The Bill:

S. 117. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, camp sites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet, trap, rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and laundrettes provided, however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such cor-

poration; to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

was taken up.

Mr. O'Bannon moved that further consideration of the Bill, S. B. 117, be postponed until the next Legislative Day. On motion of Mr. Cooper, the motion to postpone was laid on the table.

Yeas 15; Nays 11.

Yeas:

Messrs.:	Engel	Lindsey	Skidmore
Branyon	Givhan	Lolley	Stone
Clark	Goodwyn	McDermott	Torbert
Cooper	Jackson	Pelham	Turner

—15

Nays:

Messrs.:	Childs	Harris	Morrow
Bailes	Dominick	Hawkins	O'Bannon
Carr	Gilmore	McCarley	Pierce

—11

Mr. Bailes moved that further consideration of the Bill, S. B. 117, be postponed until the Twenty-Seventh Legislative Day. On motion of Mr. Stone, said motion was laid on the table.

Yeas 16; Nays 7.

Yeas:

Messrs.:	Engel	Lolley	Pelham
Branyon	Givhan	McCarley	Skidmore
Carr	Jackson	McDermott	Stone
Clark	Lindsey	Nabors	Turner
Cooper			

—16

Nays:

Messrs.:	Dominick	Hawkins	O'Bannon
Bailes	Harris	Morrow	Pierce

—7

And said Bill, S. B. 117, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 19; Nays 5.

Yeas:

Messrs.:	Gilmore	Lolley	Skidmore	
Branyon	Givhan	McDermott	Stone	
Childs	Goodwyn	Nabors	Torbert	
Cooper	Jackson	Oden	Turner	
Engel	Lindsey	Pelham	Vacca	—19

Nays:

Messrs.:	Carr	Harris	Pierce	
Bailes	Dominick			—5

The Bill:

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, to-wit:

Amendment to H. B. 200

In Section 1, second paragraph, strike out the words and figures "thence deflect 145° 55' to the left" and insert "thence deflect 55° 55' to the left"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Oden	
Albea	Folsom	Lindsey	Pelham	
Bailes	Gilmore	Lolley	Pierce	
Branyon	Givhan	McCarley	Radney	
Carr	Goodwyn	McDermott	Skidmore	
Childs	Harris	Nabors	Stone	
Cooper	Hawkins			—25

Nays:

—0

And said Bill, H. B. 200, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Lindsey	Radney	
Albea	Gilmore	Lolley	Skidmore	
Bailes	Givhan	McCarley	Stone	
Branyon	Goodwyn	McDermott	Torbert	
Carr	Harris	Nabors	Turner	
Childs	Hawkins	Oden	Vacca	
Cooper	Jackson			—25

Nays:

—0

The Bill:

H. 167. To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	O'Bannon	
Albea	Dominick	Jackson	Pelham	
Bailes	Engel	Lindsey	Radney	
Branyon	Gilmore	Lolley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Nabors	Torbert	
Clark	Harris			—25

Nays:

—0

The Bill:

S. 101. To appropriate the sum of Three Thousand Eight Hundred and 50/100 Dollars to the Division of Game and Fish for additional construction of hatchery ponds and water supply systems at the Eastaboga Fish Hatchery from any unappropriated monies in the Game and Fish Fund.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Lolley	Skidmore	
Carr	Goodwyn	McDermott	Stone	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	Oden	Vacca	
Cooper				—24

Nays:

—0

The Bill:

H. 23. To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Albea	Folsom	McCarley	Pierce	
Bailes	Gilmore	McDermott	Radney	
Branyon	Givhan	Morrow	Skidmore	
Carr	Harris	O'Bannon	Stone	
Childs	Jackson	Oden	Torbert	
Clark	Lindsey			—25

Nays:

—0

The Bill:

H. 24. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, to-wit:

Amendment to H. B. 24

Amend House Bill 24 as follows: Strike out the words and figures "one thousand two hundred dollars (\$1,200)" in line two and three of Section 5 and in lieu thereof insert the words and figures "one thousand eight hundred dollars (\$1,800)".

Amend House Bill 24 as follows: Strike out the words three hundred dollars in line twelve (12) of Section 6, and in lieu thereof insert the words four hundred dollars.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Oden	
Bailes	Engel	Lolley	Skidmore	
Branyon	Folsom	McCarley	Stone	
Carr	Gilmore	McDermott	Torbert	
Childs	Givhan	Morrow	Turner	
Clark	Harris	O'Bannon	Vacca	
Cooper	Jackson			—25

Nays: —0

Mr. Oden offered the following amendment to the Bill, H. B. 24, as amended, to-wit:

Amendment to H. B. 24 as amended

Strike out Section 20 of the bill entirely and insert in lieu thereof the following:

Section 20. This Act shall take effect July 1, 1967.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Radney	
Branyon	Folsom	McCarley	Skidmore	
Carr	Gilmore	McDermott	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lindsey			—25

Nays: —0

And said Bill, H. B. 24, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Radney	
Albea	Foisom	McCarley	Skidmore	
Bailes	Gilmore	McDermott	Stone	
Childs	Givhan	Morrow	Torbert	
Clark	Harris	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lindsey			—25

Nays:

—0

The Bill:

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 97

AMEND H. B. 97 by adding at the end of Section I thereof the following:

"Notwithstanding the provisions of this Section and other Sections of the Teachers' Retirement System law, it is provided that the Alabama High School Athletic Association shall pay to the Retirement System the employer cost for coverage of its employees, such cost to be determined by actuary employed by the Board of Control and under rules and regulations established by said Board."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	Oden	
Bailes	Givhan	McDermott	Pierce	
Branyon	Goodwyn	Morrow	Stone	
Carr	Harris	Nabors	Torbert	
Childs	Hawkins	O'Bannon	Vacca	
Dominick	Lindsey			—21

Nays:

—0

And said Bill, H. B. 97, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gilmore	Lolley	O'Bannon	
Branyon	Givhan	McCarley	Pelham	
Carr	Goodwyn	McDermott	Pierce	
Childs	Harris	Morrow	Torbert	
Clark	Hawkins	Nabors	Vacca	
Cooper	Lindsey			—21

Nays:

—0

The Bill:

H. 65. To make a further and additional appropriation of \$44,000 to the Department of Adult Blind of the Alabama Institute for Deaf and Blind.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham
Bailes	Gilmore	Lolley	Pierce
Branyon	Givhan	McCarley	Skidmore
Carr	Goodwyn	McDermott	Stone
Childs	Harris	Morrow	Torbert
Clark	Hawkins	Nabors	Turner
Cooper	Jackson	O'Bannon	Vacca
Dominick			—28

Nays: —0

The Bill:

H. 108. To make an additional appropriation to the Alabama State Milk Control Board.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	O'Bannon
Branyon	Engel	Lindsey	Oden
Carr	Gilmore	Lolley	Pelham
Childs	Givhan	McCarley	Skidmore
Clark	Goodwyn	McDermott	Torbert
Cooper	Harris	Nabors	Vacca
			—23

Nays: —0

The Bill:

H. 148. To make an appropriation to the Governor's Committee on the Status of Women.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Nabors
Bailes	Gilmore	Lindsey	Pelham
Branyon	Givhan	Lolley	Skidmore
Carr	Goodwyn	McCarley	Stone
Childs	Harris	McDermott	Torbert
Clark	Hawkins	Morrow	Vacca
Cooper			—24

Nays: —0

The Bill:

H. 118. To create the position of Assistant Director in the Department of Public Safety; to provide for his appointment and removal, duties, responsibilities and salary; and to provide for the effective date of this act.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden	
Bailes	Engel	Lindsey	Pelham	
Branyon	Gilmore	Lolley	Skidmore	
Carr	Givhan	McCarley	Stone	
Childs	Goodwyn	McDermott	Torbert	
Clark	Harris	Morrow	Vacca	
Cooper	Hawkins	Nabors		—26

Nays:

—0

The Bill:

H. 110. To make an additional appropriation to the Board of Chiropractic Examiners.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Oden	
Bailes	Engel	Lolley	Pelham	
Branyon	Gilmore	McCarley	Pierce	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Harris	Nabors	Torbert	
Cooper	Jackson	O'Bannon	Vacca	
				—27

Nays:

—0

The Bill:

H. 49. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

was taken up.

The Standing Committee on Banking reported the following amendment to the Bill, to-wit:

Amendment to H. B. 49

Strike out Section 6 of the bill entirely and insert in lieu thereof the following:

Section 6. All State money deposited in State Depositories in demand accounts and time deposit, open account shall be secured as re-

quired by Title 5, Section 119, as amended, and Title 55, Section 379, et seq., Alabama Code 1940; provided, however, that for amounts deposited in time deposit, open accounts and in demand accounts there may also be accepted as security for said deposits bonds and other securities issued by any agency or instrumentality of the United States or any agency or instrumentality of the State of Alabama; also, any general obligation bonds or warrants of any county or any municipality of the State of Alabama; also, warrants or securities of any county secured by a pledge of the special road, bridge and public building tax authorized by Article 11, Section 215 of the Constitution; also, bonds or warrants of any county or city board of education secured by a pledge of taxes levied under the authority of Constitutional Amendment III or any other constitutional amendment authorizing the levying of special ad valorem taxes for schools, or secured by a pledge of county or city sales taxes; also, any gasoline tax anticipation warrants secured by a pledge of gasoline tax revenues distributed to counties under Code 1940, Title 51, Section 655 or 657, as amended; also, electric, natural gas, sewer, and water revenue bonds issued by any municipality of the State of Alabama or any board created by any such municipality. To be eligible to secure state deposits revenue bonds or warrants must have a current average annual debt service coverage of at least two times, and any general obligation bonds or securities of any of the various states of the continental United States or any of their instrumentalities must have a rating of "A" or better by Moody's Investors Rating Service, New York City, or any successor firm to this company. No security shall be required for the amount of any deposit or account to the extent said deposit or account is insured by Federal Deposit Insurance Corporation.

On motion of Mr. Morrow, said amendment was laid on the table.

The Standing Committee on Banking also reported the following amendment to the Bill, H. B. 49, to-wit:

Amendment to H. B. 49

In Section 4, strike out the last sentence and insert in lieu thereof the following: The annual rate of interest on time deposits, open account shall be seventy-five per cent of the average for the most recent four weeks of the prices of the ninety-one day United States treasury bill auction, provided the rate shall not exceed the maximum permitted by applicable banking regulations.

Mr. Clark moved that said amendment to the Bill, H. B. 49, be laid on the table, which motion was lost.

And said Committee amendment to the Bill, H. B. 49, was then adopted by the Senate.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Gilmore	McDermott	Pierce
Bailes	Givhan	Morrow	Skidmore
Branyon	Hawkins	Nabors	Stone
Childs	Lindsey	O'Bannon	Torbert
Engel	McCarley	Oden	Vacca

—19

Nays:

Messrs.:	Dominick	Jackson	Pelham
Clark	Goodwyn	Lolley	Turner
Cooper	Harris		

—9

The Standing Committee on Banking also reported the following amendment to the Bill, H. B. 49, as amended, to-wit:

Amendment to H. B. 49

In Section 2, strike out the words and figures "with the advice of the Director of Finance"

Mr. Clark moved that said amendment to the Bill, H. B. 49, as amended, be laid on the table, which motion was lost.

Yeas 11; Nays 18.

Yeas:

Messrs.:	Clark	Goodwyn	Pelham	
Branyon	Cooper	Jackson	Stone	
Carr	Engel	Lolley	Turner	—11

Nays:

Messrs.:	Givhan	McDermott	Pierce	
Bailes	Harris	Morrow	Skidmore	
Childs	Hawkins	Nabors	Torbert	
Dominick	Lindsey	O'Bannon	Vacca	
Gilmore	McCarley	Oden		—18

And said Committee amendment to the Bill, H. B. 49, as amended, was then adopted by the Senate.

Yeas 18; Nays 10.

Yeas:

Messrs.:	Givhan	McDermott	Pierce	
Bailes	Harris	Morrow	Skidmore	
Childs	Hawkins	Nabors	Torbert	
Dominick	Lindsey	O'Bannon	Vacca	
Gilmore	McCarley	Oden		—18

Nays:

Messrs.:	Clark	Goodwyn	Pelham	
Branyon	Cooper	Jackson	Stone	
Carr	Engel	Lolley		—10

The Standing Committee on Banking also reported the following amendment to the Bill, H. B. 49, as amended, to-wit:

Amendment to H. B. 49

In Section 2, add at the end thereof the following: The State Treasurer shall also take into consideration the reserve requirements prescribed by law relative to demand deposits and time deposits.

Which was adopted.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Engel	Lolley	Pelham	
Bailes	Gilmore	McCarley	Pierce	
Branyon	Givhan	McDermott	Skidmore	
Carr	Harris	Morrow	Stone	
Childs	Hawkins	Nabors	Torbert	
Clark	Jackson	Oden	Vacca	
Cooper	Lindsey			—25

Nays:

Messrs.: Dominick Goodwyn —2

Mr. Morrow offered the following amendment to the Bill, H. B. 49, as amended, to-wit:

Amendment to H. B. 49

Strike out Section 6 of the bill entirely and insert in lieu thereof the following:

Section 6. All State money deposited in State Depositaries in demand accounts and time deposit, open account shall be secured as required by Title 5, Section 119, as amended, and Title 55, Section 379, et seq., Alabama Code of 1940; provided, however, that for amounts deposited in time deposit, open accounts and in demand accounts there may also be accepted as security for said deposits bonds and other securities issued by any agency or instrumentality of the United States of America; and any general obligation bonds or securities of any of the various states of the continental United States or any of their instrumentalities must have a rating of "A" or better by Moody's Investors Rating Services, Inc., New York City, or any successor firm to that corporation. Also, any general obligation bonds or warrants of any county or any municipality of the State of Alabama; also, warrants or securities of any county secured by a pledge of the special road, bridge and public building tax authorized by Article 11, Section 215 of the Constitution; also, bonds or warrants of any county or city board of education secured by a pledge of taxes levied under the authority of Constitutional Amendment III or any other constitutional amendment authorizing the levying of special ad valorem taxes for schools, or secured by a pledge of county or city sales taxes; also, any gasoline tax anticipation warrants secured by a pledge of gasoline tax revenues derived from the gasoline excise tax levied by the State and distributed to counties under Code 1940, Title 51, Section 655 or 657, as amended or under any law that may be enacted by the Legislature of Alabama in the event of the repeal of the said code section; also, electric, natural gas, sewer, and water revenue bonds issued by any municipality of the State of Alabama or any board created by or with the consent of any such municipality. To be eligible to secure state deposits, revenue or limited obligation bonds or warrants must have a current average annual debt service coverage of at least two times. No security shall be required for the amount of any deposit or account to the extent said deposit or account is insured by Federal Deposit Insurance Corporation.

Which was adopted.

Yeas 22; Nays 7.

Yeas:

Messrs.:	Cooper	Lindsey	Pelham
Bailes	Dominick	McDermott	Skidmore
Branyon	Engel	Morrow	Stone
Carr	Gilmore	Nabors	Torbert
Childs	Givhan	O'Bannon	Vacca
Clark	Hawkins	Oden	

—22

Nays:

Messrs.:	Harris	Lolley	Pierce
Goodwyn	Jackson	McCarley	Turner

—7

Mr. Harris offered the following amendment to the Bill, H. B. 49, as amended, to-wit:

AMENDMENT TO H. B. 49

Amend Section 5 by deleting the first sentence therein and substituting therefor the following:

"Interest shall be calculated on the average of the average monthly balances of the time deposit open account and shall be payable June 30 and December 31 of each year and credited to the demand deposit of the Treasurer."

On motion of Mr. Clark, said amendment was laid on the table.

Yeas 21; Nays 6.

Yeas:

Messrs.:	Gilmore	Lolley	Oden	
Branyon	Givhan	McCarley	Pierce	
Childs	Goodwyn	McDermott	Skidmore	
Clark	Hawkins	Morrow	Stone	
Cooper	Jackson	Nabors	Torbert	
Engel	Lindsey			—21

Nays:

Messrs.:	Carr	Harris	Turner	
Bailes	Dominick	O'Bannon		—6

Mr. Harris then offered the following amendment to the Bill; H. B. 49, as amended, to-wit:

AMENDMENT TO H. B. 49

Amend Section 6 by adding thereto the following:

"6 a. Any person who knowingly demands or receives any fee, compensation or reward or who demands or accepts directly or indirectly as payment or gift, or otherwise, any sum of money or other thing of value as an inducement or in return for the placement of any funds or for assistance either directly or indirectly in securing the placement of any monies of the State of Alabama in time deposit open accounts shall be guilty of a misdemeanor, and upon conviction shall be imprisoned for not more than twelve months or fined not more than \$500, or both, and in the event the person convicted is an officer, agent or employee of the State of Alabama he shall be dismissed from office or discharged from employment."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Oden	
Bailes	Engel	Lolley	Pelham	
Branyon	Gilmore	McCarley	Pierce	
Carr	Givhan	McDermott	Skidmore	
Childs	Harris	Morrow	Stone	
Clark	Hawkins	Nabors	Torbert	
Cooper	Jackson	O'Bannon	Turner	—27

Nays:

—0

And said Bill, H. B. 49, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	Oden
Bailes	Engel	Lindsey	Pelham
Branyon	Gilmore	Lolley	Pierce
Carr	Givhan	McDermott	Skidmore
Childs	Goodwyn	Morrow	Stone
Clark	Harris	Nabors	Torbert
Cooper	Hawkins	O'Bannon	Turner

—27

Nays: —0

The Bill:

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

Was read a third time at length and passed.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Folsom	Lolley	Pierce
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Harris	Morrow	Torbert
Clark	Hawkins	Nabors	Turner
Cooper	Jackson	O'Bannon	Vacca
Engel	Lindsey	Pelham	

—26

Nays:

Messrs.:	Bailes	Dominick	Goodwyn
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—3

The Bill:

H. 208. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Pelham
Albea	Folsom	McDermott	Pierce
Bailes	Goodwyn	Morrow	Radney
Childs	Harris	Nabors	Stone
Clark	Hawkins	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Dominick	Lindsey		

—25

Nays: —0

The Bill:

H. 209. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial

census and providing for the compensation of the members of the Board of Equalization in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Harris	Nabors	
Albea	Dominick	Lindsey	Pierce	
Bailes	Engel	Lolley	Radney	
Branyon	Folsom	McCarley	Stone	
Carr	Gilmore	McDermott	Turner	
Childs	Givhan	Morrow	Vacca	—25
Clark	Goodwyn			

Nays:

—0

The Bill:

H. 214. To provide clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county other than the county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides has a population of not less than 16,150 nor more than 17,250.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Albea	Folsom	McDermott	Radney	
Bailes	Gilmore	Morrow	Skidmore	
Branyon	Givhan	Nabors	Stone	
Carr	Goodwyn	O'Bannon	Torbert	
Childs	Harris	Oden	Turner	—25
Clark	Hawkins			

Nays:

—0

The Bill:

S. 121. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McCarley	Radney	
Albea	Goodwyn	Nabors	Skidmore	
Childs	Harris	O'Bannon	Stone	
Clark	Hawkins	Oden	Torbert	
Cooper	Jackson	Pelham	Turner	
Dominick	Lindsey	Pierce	Vacca	—25
Folsom	Lolley			

Nays:

—0

The Bill:

H. 7. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to exempt from the authority, jurisdiction or power of any state agency, commission, department or instrumentality to control or regulate, a foreign corporation which transacts only a portion of its business in this state and locates its principal administrative office, principal distribution or manufacturing plant or principal place of business in this state, with respect to that portion of its business transacted or property located without this state and the securities or obligations of such foreign corporation; and for other purposes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pelham	
Bailes	Folsom	Lolley	Pierce	
Branyon	Givhan	McCarley	Skidmore	
Carr	Goodwyn	McDermott	Torbert	
Childs	Hawkins	Morrow	Turner	
Clark	Jackson	Nabors	Vacca	
Cooper				—24

Nays: —0

The Bill:

H. 8. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to provide for the allocation of tax obligation on real or personal property between the transferor and a foreign corporation transferee of property sold to, acquired by or transferred to such foreign corporation in connection with locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business or in connection with becoming the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state; and for other purposes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	O'Bannon	
Bailes	Engel	Lolley	Pelham	
Branyon	Folsom	McCarley	Pierce	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Hawkins	Nabors	Vacca	
Cooper				—24

Nays: —0

The Bill:

H. 12. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to amend section 339, Title 51, Code of Alabama 1940, relating to qualification of a foreign corporation to engage in or transact business in this state, to provide that the maximum amount of qualification fee or admission tax shall not exceed five hundred dollars for each foreign corporation which files with the department of revenue the required statement together with certified copies of resolutions by its board of directors locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business and thereafter actually locates such office, plant or place of business within this state within one year from the date of such filing, or authorizing it to become the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state and thereafter actually becomes such successor or assignee within one year from the date of such filing; and for other purposes.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon	
Bailes	Engel	Lindsey	Pelham	
Branyon	Folsom	Lolley	Pierce	
Carr	Givhan	McCarley	Stone	
Childs	Goodwyn	McDermott	Torbert	
Clark	Harris	Morrow	Vacca	
Cooper	Hawkins	Nabors		—26

Nays: —0

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution:

H. J. R. 80. Relative to adjournment of the two Houses.

and ordered same returned to the Senate with a favorable report, with substitute.

The Rules Committee reported the following substitute for the Resolution, to-wit:

Substitute for H. J. R. 80

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the Senate adjourns Tuesday, April 18, they adjourn to meet again on Thursday, April 20, 1967, and when they adjourn April 20, they adjourn to meet again on Friday, April 21, 1967, and when the House adjourns Tuesday, April 18, it adjourns to meet again on Tuesday, April 25, 1967.

On motion of Mr. Cooper, said substitute for the Resolution, H. J. R. 80, was adopted by the Senate.

ADJOURNMENT

At 8:32 P. M., Mr. Cooper moved that the Senate adjourn until Monday, April 24, 1967, at 2 o'clock P. M.

Mr. O'Bannon moved as a substitute motion that the Senate adjourn until Tuesday, April 25, at 2 o'clock P. M., which motion was lost.

Yeas 10; Nays 19.

Yeas:

Messrs.:	Harris	Nabors	Pierce	
Bailes	McDermott	O'Bannon	Vacca	
Gilmore	Morrow	Pelham		—10

Nays:

Messrs.:	Cooper	Goodwyn	Oden	
Branyon	Dominick	Jackson	Skidmore	
Carr	Engel	Lindsey	Stone	
Childs	Folsom	Lolley	Torbert	
Clark	Givhan	McCarley	Turner	—19

The question recurred on the motion of Mr. Cooper and at 8:37 P. M., the Senate adjourned until Monday, April 24, 1967, at 2 o'clock P. M.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce	
Bailes	Engel	Lolley	Skidmore	
Branyon	Gilmore	McCarley	Stone	
Carr	Givhan	McDermott	Torbert	
Childs	Goodwyn	Morrow	Turner	
Clark	Harris	Oden	Vacca	
Cooper	Jackson	Pelham		—26

Nays:

Messrs.:	Folsom	Nabors	O'Bannon	—3
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TWENTY-SIXTH LEGISLATIVE DAY

MONDAY, APRIL 24, 1967

The Senate met pursuant to adjournment, President Pro Tempore Goodwyn presiding.

PRAYER

The Session was opened with prayer by the Reverend Eldon Weisheit, Lutheran Church of the Epiphany, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

JOURNAL

On motion of Mr. Clark, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fifth Legislative Day was approved by the Senate.

MOTION TO RECONSIDER

Mr. Clark requested that the votes by which H. B.'s 188, 189, 190, 191, 192, 193, 194, 195, 196 and 197 were passed on the Twenty-Fifth Legislative Day be reconsidered by the Senate. Upon objection to the request, Mr. Clark requested that the Journal show that his request for reconsideration was made.

MOTION TO RECONSIDER

Mr. Bailes moved that the Senate reconsider the vote by which the Bill, S. B. 14, as amended, was lost.

The President Pro Tempore stated that the pending motion to reconsider the vote by which the Bill, S. B. 15, was passed takes precedence as Unfinished Business under Motions and Resolutions, and that Mr. Bailes will be allowed to make his motion again after the pending motion is disposed of.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Lybrand and Burgess:

H. 14. To provide for the appointment of a deputy district attorney for the Seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Mr. Goodwyn, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Owen (Baldwin) and Grayson:

H. 78. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws.

UNFINISHED BUSINESS

MOTIONS AND RESOLUTIONS

The Senate proceeded to consideration of the Unfinished Business for today, which was the motion made by Mr. Turner that the Senate reconsider the vote by which the Bill, S. B. 15, as amended, was passed on the Twenty-Fifth Legislative Day.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 57. Naming the library building at Alexander City State Junior College the Thomas D. Russell Library.

And on motion of Mr. Radney, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 81. Extending a cordial welcome to Mr. Edward M. Lindsey of Lawrenceburg, Tennessee, and commending him for his outstanding contributions to his area of the south and to Lions International.

And on motion of Mr. Torbert, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 43. Mourning the death of Honorable George Washington Miller, distinguished law enforcement officer of Mobile, Alabama.

And on motion of Mr. Engel, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 78. Naming S. J. R. 27 the Giles, Pennington, Jones, McLain, Laxson and Snodgrass Act.

And on motion of Mr. Childs, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 73. Congratulating Auburn University upon the top rating won by its student newspaper, The Auburn Plainsman.

And on motion of Mr. Torbert, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 46. Requesting an opinion of the Supreme Court relative to H. B. 152.

And on motion of Mr. Vacca, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 70. Commending the student body of Auburn University for setting a world record for donating blood to our soldiers in Vietnam.

And on motion of Mr. Torbert, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 69. Opposing the planned reorganization of the National Guard.

And on motion of Mr. Branyon, said Resolution was then concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 45. Opposing the proposed legislation in the U. S. Congress which would unduly regulate consumer credit transaction.

And on motion of Mr. Clark, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 39. Creating a joint interim committee on agriculture.

And on motion of Mr. Lolley, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 56. Condemning the activities of Harold Howe, Federal Commissioner of Education.

On motion of Mr. McCarley, said Resolution was then concurred in and adopted by the Senate.

MOTION TO ADJOURN LOST

At 3:25 P. M., Mr. Cooper moved that the Senate adjourn until Tuesday, April 25, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 2; Nays 29.

Yeas:

Messrs.:	Albea	Skidmore	—2
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Nays:

Messrs.:	Dominick	Jackson	Nabors
Adams	Engel	Leonard	Pelham
Bailes	Folsom	Lindsey	Pierce
Branyon	Giles	Lolley	Radney
Carr	Givhan	McCarley	Stone
Childs	Goodwyn	McDermott	Torbert
Clark	Harris	Morrow	Vacca
Cooper	Hawkins		

—29

BILLS ON THIRD READING

The Bill:

S. 83. To legalize the towing of certain four-wheel, two-axle trailers on public highways and streets, repealing conflicting laws.

was taken up.

The Standing Committee on Commerce and Common Carriers reported the following amendment to the Bill, to-wit:

Amendment to S. B. 83

Amend Section 1 of S. B. 83 by striking therefrom the words "sixty-five feet" and inserting in lieu thereof the words "fifty-five feet".

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham
Adams	Giles	Lindsey	Pierce
Albea	Gilmore	Lolley	Radney
Bailes	Givhan	McCarley	Skidmore
Branyon	Goodwyn	McDermott	Stone
Carr	Harris	Morrow	Torbert
Clark	Hawkins	Nabors	Vacca
Engel	Jackson		

—29

Nays:

—0

And said Bill, S. B. 83, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Nabors
Adams	Engel	Jackson	Pelham
Albea	Folsom	Leonard	Pierce
Bailes	Giles	Lindsey	Radney
Branyon	Gilmore	Lolley	Skidmore
Carr	Givhan	McCarley	Stone
Childs	Goodwyn	McDermott	Torbert
Clark	Harris	Morrow	Vacca

—31

Nays:

—0

The Bill:

H. 228. To apply only in counties having populations of not less than 52,000 nor more than 56,000; fixing the compensation of the secretary of the district attorney of any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	McCarley	Radney
Branyon	Gilmore	McDermott	Skidmore
Carr	Givhan	Morrow	Stone
Childs	Goodwyn	Nabors	Torbert
Clark	Harris	O'Bannon	Turner
Cooper	Hawkins	Oden	Vacca
Dominick	Jackson		

—25

Nays:

—0

The Bill:

H. 15. To apply only in counties having populations of not less than 76,000 nor more than 96,000, abolishing the office of clerk of the jury commission, providing that the circuit court clerk shall perform the duties of clerk of the jury commission, fixing the compensation of the circuit court clerk for performance of such additional duties, and authorizing the county to provide for employment of additional clerical help by the circuit clerk to assist him in the performance of such duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Leonard	Pelham
Albea	Engel	Lindsey	Pierce
Branyon	Folsom	Lolley	Stone
Carr	Giles	Nabors	Torbert
Childs	Harris	O'Bannon	Turner
Clark	Hawkins	Oden	Vacca
Cooper	Jackson		

—25

Nays:

—0

The Bill:

H. 207. Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the probate judge, judge of the county court, tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

was taken up.

Mr. Albea offered the following substitute for the Bill, to-wit:

Substitute for H. B. 207

**A BILL
TO BE ENTITLED
AN ACT**

Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the probate judge, judge of the county court, tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, the tax assessor, tax collector, sheriff and clerk of the circuit court shall each be entitled to receive three thousand dollars (\$3,000) per annum as an expense allowance for the operation of their respective offices. Such expense allowances shall be paid monthly in equal amounts out of any available monies in the general fund of the county.

Section 2. In all such counties the probate judge and the judge of the county court shall each be entitled to an allowance for expenses in the amount of \$4,200 per annum, which shall be payable from the general funds of the county in equal monthly installments. The allowances so provided shall be in lieu of any other expense allowance heretofore provided either of such officers.

Section 3. All laws and parts of laws in conflict with this Act are hereby repealed and the conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended, are specifically repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. It shall expire as to each officer herein designated at the end of the present term of the incumbent officer.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Childs	Folsom	Goodwyn
Albea	Clark	Giles	Harris
Branyon	Cooper	Gilmore	Leonard
Carr	Engel	Givhan	Lindsey

Lolley	Morrow	Radney	Stone	
McCarley	Pelham	Skidmore	Torbert	
McDermott	Pierce			—25
<i>Nays:</i>				—0

And said Bill, H. B. 207, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Branyon	Giles	Lolley	Radney	
Carr	Gilmore	McCarley	Skidmore	
Childs	Givhan	McDermott	Stone	
Clark	Goodwyn	Morrow	Torbert	
Cooper	Harris			—25
<i>Nays:</i>				—0

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in Session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 108. To authorize all counties, all municipalities and all public hospitals in the state to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function.

LELAND CHILDS,
Chairman.

BILLS ON THIRD READING RESUMED

The Bill:

H. 213. To apply only in counties having populations of not less than 76,000 nor more than 96,000; authorizing the governing body of any such county to appropriate county funds for the relief of persons damaged by county employees or county equipment.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Adams	Givhan	Lolley	Pierce	
Albea	Goodwyn	McCarley	Radney	
Childs	Harris	McDermott	Skidmore	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Leonard			—25
<i>Nays:</i>				—0

RESOLUTION

Messrs. McDermott, Pelham and Engel offered the following Senate Joint Resolution, to-wit:

S. J. R. 49. WHEREAS, Mr. Bill Sellers, the astute political reporter for the Mobile Press Register, was recently honored by the Alabama Bankers Association as "the outstanding newsman in the State", and

WHEREAS, Bill Sellers has rendered exemplary service to the people of the Mobile area and to the entire State of Alabama through his keen and analytical coverage of the Alabama Legislature and state government during the last several years, and

WHEREAS, the members of the Legislature are pleased at the recognition of his service by the Alabama Bankers Association, now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we express the approval and concurrence of this body to the award recently bestowed on Mr. Sellers.

BE IT FURTHER RESOLVED That a copy of this resolution be forwarded to the publisher of the Mobile Press Register and a copy forwarded to Mr. Sellers.

On motion of Mr. McDermott, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion to reconsider the vote by which the Bill, S. B. 15, as amended, was passed on the Twenty-Fifth Legislative Day.

MOTION TO ADJOURN LOST

At 4:45 P. M., Mr. Cooper moved that the Senate adjourn until Tuesday, April 25, 1967, at 10 o'clock A. M., which motion was lost.

Yea 1; Nays 28.

Yea: Mr. Dominick

—1

Nays:

Messrs.:	Folsom	Jackson	Pelham
Albea	Giles	Leonard	Pierce
Bailes	Gilmore	Lindsey	Radney
Branyon	Givhan	Lolley	Skidmore
Childs	Goodwyn	McCarley	Stone
Clark	Harris	McDermott	Torbert
Cooper	Hawkins	Nabors	Vacca
Engel			

—28

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion to reconsider the vote by which the Bill, S. B. 15, as amended, was passed on the Twenty-Fifth Legislative Day.

Mr. Cooper moved that further consideration of the motion to reconsider be postponed for two Legislative Days.

RESOLUTIONS

Messrs. Branyon, Bailes, Dominick, Adams, Albea, Carr, Childs, Clark, Cooper, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca and Lieutenant Governor Brewer offered the following Senate Joint Resolution, to-wit:

S. J. R. 50. WHEREAS on April 20, 1967, Lurleen Day was celebrated in Tuscaloosa upon which occasion a day of most enjoyable festivities and gaiety was well planned and executed to honor our beloved and highly esteemed Governor and to whom Lake Lurleen a beautiful fishing lake was appropriately dedicated; and

WHEREAS Governor Wallace is a native of Northport and of Tuscaloosa County, every conceivable effort was made to welcome her home and to entertain the members of the legislature, cabinet members, state officials and other dignitaries who gathered to celebrate the occasion; and

WHEREAS the Tuscaloosa Area Chamber of Commerce, the governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport, Probate Judge David Cochrane, Mayor George Van Tassel, Dr. Frank Rose, President of the University of Alabama, who acted as master of ceremonies, the entire student body of the university and its football team which put on a special football scrimmage in honor of the occasion, Senator E. W. Skidmore and Representatives Bank, Brown, Culver and Thomas, and all of the business and professional people of the area joined in making this function a day of happily conceived and well organized activities; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to thank our most gracious hosts and all those who were responsible for the most enjoyable and successful celebration of Lurleen Day.

On motion of Mr. Branyon, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Engel, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Folsom, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca and Lieutenant Governor Brewer offered the following Senate Joint Resolution, to-wit:

S. J. R. 51. WHEREAS Mr. Martin M. Giles, prominent resident of Huntsville, veteran of World War II, and brother of our beloved and highly esteemed colleague, Senator Jack Giles, passed away in Birmingham on April 21, 1967; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Mr. Martin M. Giles and extend our heartfelt sympathy to Senator Giles and to the surviving members of the family, to whom copies of this resolution shall be sent.

On motion of Mr. Engel, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION TO ADJOURN LOST

At 6 o'clock P. M., Mr. Cooper moved that the Senate adjourn until Tuesday, April 25, 1967, at 10 o'clock A. M., which motion was lost.

Yea 1; Nays 18.

Yea: Mr. Adams

—1

Nays:

Messrs.:	Engel	Jackson	Skidmore
Branyon	Folsom	Leonard	Stone
Childs	Giles	Lindsey	Torbert
Clark	Givhan	McCarley	Vacca
Cooper	Goodwyn	Radney	

—18

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate then proceeded to further consideration of the motion to postpone for two Legislative days the motion to reconsider the vote by which the Bill, S. B. 15, was passed.

RECESS

At 7:03 P. M., on motion of Mr. Cooper, the Senate took a recess until 9 o'clock tonight.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

—35

MOTION TO ADJOURN LOST

At 9:05 P. M., Mr. Cooper moved that the Senate adjourn until Tuesday, April 25, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 4; Nays 16.

Yeas:

Messrs.:	Goodwyn	McDermott	Morrow
Adams			

—4

Nays:

Messrs.:	Folsom	Lindsey	Skidmore
Albea	Giles	Lolley	Stone
Branyon	Givhan	McCarley	Torbert
Clark	Jackson	Radney	Turner
Cooper			

—16

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate then proceeded to further consideration of the motion to postpone for two Legislative Days the motion to reconsider the vote by which the Bill, S. B. 15, was passed.

MOTION TO ADJOURN LOST

At 10:05 P. M., Mr. Cooper moved that the Senate adjourn until Tuesday, April 25, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 6; Nays 19.

Yeas:

Messrs.:	Dominick	McDermott	Radney	
Adams	Goodwyn	Pierce		—6

Nays:

Messrs.:	Engel	Jackson	Skidmore	
Carr	Folsom	Leonard	Stone	
Childs	Giles	Lindsey	Torbert	
Clark	Givhan	Lolley	Turner	
Cooper	Hawkins	McCarley	Vacca	—19

PAIRED VOTE ANNOUNCED

Mr. Morrow announced that he was paired with Mr. Branyon on this vote; Mr. Branyon, if present would vote "Nay", and he, Mr. Morrow, would vote "Aye".

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate then proceeded to further consideration of the motion to postpone for two Legislative Days the motion to reconsider the vote by which the Bill, S. B. 15, was passed.

ADJOURNMENT

At 11:10 P. M., Mr. Turner moved that the Senate adjourn until Tuesday, April 25, 1967, at 10 o'clock A. M. Mr. Radney moved as a substitute motion that the Senate adjourn until Tuesday, April 25, at 12 o'clock Noon, which motion was lost.

The question then recurred on the motion of Mr. Turner, and at 11:12 P. M., pending further consideration of the motion to postpone for two Legislative Days the motion to reconsider the vote by which the Bill, S. B. 15, was passed on the Twenty-Fifth Legislative Day, the Senate adjourned until Tuesday, April 25, 1967, at 10 o'clock A. M.

Yeas 14; Nays 11.

Yeas:

Messrs.:	Dominick	Goodwyn	Stone	
Adams	Engel	O'Bannon	Turner	
Carr	Giles	Pierce	Vacca	
Cooper	Gilmore	Radney		—14

Nays:

Messrs.:	Folsom	Leonard	McCarley	
Childs	Givhan	Lindsey	Skidmore	
Clark	Jackson	Lolley	Torbert	—11

PAIRED VOTE ANNOUNCED

Mr. Hawkins announced that he was paired with Mr. Branyon on this vote; Mr. Branyon, if present, would vote "Nay", and he, Mr. Hawkins, would vote "Aye".

TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, APRIL 25, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Honorable Tom Radney, Senator from the Sixteenth Senatorial District.

ROLL CALL

Present:

Messrs.:	Engel	Lindsey	Pelham
Adams	Giles	Lolley	Pierce
Albea	Gilmore	McCarley	Radney
Bailes	Givhan	McDermott	Skidmore
Branyon	Harris	Morrow	Stone
Childs	Hawkins	Nabors	Torbert
Clark	Jackson	O'Bannon	Turner
Cooper	Leonard	Oden	Vacca
Dominick			

—32

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Sixth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Carr, Folsom and Goodwyn for today.

BILLS ON THIRD READING

The Bill:

H. 205. To provide for the relief of M. Benenson of Atmore, from the treasury of Escambia County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Adams	Giles	McDermott	Radney	
Bailes	Givhan	Morrow	Skidmore	
Childs	Harris	Nabors	Stone	
Clark	Jackson	O'Bannon	Torbert	
Cooper	Lindsey	Oden	Vacca	
Dominick	Lolley			—25

Nays: —0

The Bill:

H. 222. To apply only in counties having populations of not less than 16,150 nor more than 17,350; providing expense allowances for clerks of the circuit courts of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lolley	Oden	
Adams	Giles	McCarley	Pelham	
Bailes	Givhan	McDermott	Pierce	
Childs	Harris	Morrow	Stone	
Clark	Hawkins	Nabors	Torbert	
Cooper	Jackson	O'Bannon	Vacca	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 186. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws, including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Engel	Lindsey	Pierce	
Adams	Giles	Lolley	Radney	
Bailes	Givhan	McCarley	Skidmore	
Childs	Harris	Nabors	Stone	
Clark	Hawkins	Oden	Torbert	
Cooper	Jackson	Pelham	Vacca	
Dominick	Leonard			—25

Nays: —0

The Bill:

H. 206. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for registers of the circuit courts of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	McCarley	Pelham	
Albea	Harris	McDermott	Pierce	
Childs	Hawkins	Morrow	Radney	
Clark	Jackson	Nabors	Stone	
Cooper	Leonard	O'Bannon	Torbert	
Dominick	Lindsey	Oden	Vacca	
Engel	Lolley			—25

Nays:

—0

The Bill:

H. 14. To provide for the appointment of a deputy district attorney for the Seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Giles	Lolley	Pierce	
Albea	Givhan	McCarley	Radney	
Childs	Harris	McDermott	Skidmore	
Clark	Hawkins	Morrow	Stone	
Cooper	Jackson	Oden	Torbert	
Dominick	Leonard	Pelham	Vacca	
Engel	Lindsey			—25

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Albea, further consideration of the Bill, S. B. 116, was indefinitely postponed by the Senate.

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate then proceeded to further consideration of the motion to postpone for two Legislative days the motion to reconsider the vote by which the Bill, S. B. 15, was passed on the Twenty-Fifth Legislative Day.

RECESS

At 12:15 P. M., on motion of Mr. Pelham, the Senate took a recess until 1:45 P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Engel	Lindsey	Pelham
Adams	Giles	Lolley	Pierce
Albea	Gilmore	McCarley	Radney
Bailes	Givhan	McDermott	Skidmore
Branyon	Harris	Morrow	Stone
Childs	Hawkins	Nabors	Torbert
Clark	Jackson	O'Bannon	Turner
Cooper	Leonard	Oden	Vacca
Dominick			

—32

RECESS

At 1:47 P. M., on motion of Mr. Hawkins, the Senate took a recess until 2:45 P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Shumate and Dobbs:

H. 234. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 234. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Headley:

H. J. R. 83. WHEREAS, no field of education touches more intimately and contributes more fully to the cultural life of each citizen of a community than a well organized and efficiently run public library; and

WHEREAS, the unbounded interest of the past and present members of the Alabama Public Library Service, the Cahaba Regional Library Board and the Clanton Library Board; the Building Committee, the immediate Staff of the library in Clanton, as well as hundreds of citizens, made it possible for the Cahaba Regional Library to become a reality; and

WHEREAS, the new Cahaba Regional Library will be dedicated on Sunday, May 28, 1967, in Clanton, Alabama, at which time the public is invited to attend:

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature does hereby commend the Alabama Public Library Service, the Cahaba Regional Boards, the Building Committee and all others whose untiring energy and diligence have been rewarded by the completion of this long-awaited project.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McCarley, the Rules were suspended and the Resolution, H. J. R. 83, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cook (Jefferson):

H. J. R. 84. WHEREAS, April 24 through April 29 has been established as Alabama Industry Days by the following sponsoring organizations:

Alabama Jaycees

Auburn University

Alabama Press Association

Alabama Broadcasters Association

University of Alabama

State Planning and Industrial Development Board

Associated Industries of Alabama

and,

WHEREAS, these days have been set aside by the Governor in recognition of industry and its contribution to the communities and the state as a whole;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that April 24-29 be recognized by the Alabama Legislature as Alabama Industry Days.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hawkins, the Rules were suspended and the Resolution, H. J. R. 84, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bowers, Holman, Jackson (Jefferson), Cook (Jefferson), Money, Sessions, Ellis, Crane, House, Cherner and Adwell:

H. J. R. 85. WHEREAS the recent death of Mr. Andrew J. Lewis, founder and president of Vulcan Life Insurance Company, was a distinct loss to this State and particularly to the City of Birmingham where he had devoted much time and effort to the promotion of every worthwhile endeavor for the betterment of his city; and

WHEREAS Mr. Lewis, a native of Brunswick County, North Carolina and a graduate of Wake Forest College, came to Birmingham in 1945, since which time he had been active in community and business affairs. He had not only built a large well-organized life insurance company operating in nine states, but he had also served effectively as president of the Birmingham Civitan Club, president of the Association of Alabama Life Insurance Companies and president of the Better Business Bureau of Birmingham. He was an active member of the Vestavia Baptist Church and of numerous fraternal, civic and social clubs; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mr. Andrew J. Lewis and extend our sincere sympathy to Mrs. Lewis; to his daughter, Mrs. John B. Davis of Birmingham, and to his son, Dr. Andrew J. Lewis, Jr. of Charlotte, North Carolina.

RESOLVED FURTHER That copies of this resolution be sent to Mrs. Lewis, Mrs. Davis and to Dr. Lewis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Rules were suspended and the Resolution, H. J. R. 85, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bowers, Holman, Jackson (Jefferson), Cook (Jefferson), Money, Ellis, Sessions, Crane, House, Cherner and Adwell:

H. J. R. 86. WHEREAS the State of Alabama has suffered a great loss in the recent passing of Colonel William Shelton Pritchard who was a prominent member of the Alabama State Bar, the American Bar and the Birmingham Bar Associations. He was highly esteemed by his fellow attorneys, judges and all associates both within and without his profession; and

WHEREAS Colonel Pritchard was a vigorous and active man who gave the full extent of his uncommon and varied talents to numerous civic, religious, social and philanthropic causes. His resourcefulness and generosity lent impetus to his every endeavor, and his wise and patient counseling was often sought and highly valued; and

WHEREAS Colonel Pritchard served in combat with the Field Artillery, First Division, U. S. Expeditionary Forces in France in World War I after which he was discharged as major. In World War II he served as colonel in command of the Military District of North Carolina. He held numerous medals, citations and awards for distinguished service. From 1952 to 1961, he was Civilian Aide to Secretary of the Army, William Brucker, in which capacity he rendered valuable service in the development of national defense; and

WHEREAS Colonel Pritchard was a devout member of the Roman Catholic Church, and was a member of the board of trustees of St. Bernard College in Cullman. He aided in the promotion of the Holy Family Hospital in Ensley and also served on its board; and

WHEREAS Colonel Pritchard was a loyal alumnus of the University of Alabama and was the 1965 chairman of the Birmingham area drive for funds for the University of Alabama Law School Foundation; and

WHEREAS the wide variety of Colonel Pritchard's activities attest to his numerous and diverse interests in addition to his social activities and the making of enduring friendships throughout this region; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the death of Colonel Pritchard and extend our sincere sympathy to the surviving members of his family.

RESOLVED FURTHER that a copy of this resolution be sent to his widow, Mrs. Catherine Hudnut Robinson Pritchard; to his daughters, Mrs. Mary Pritchard Forman, and Mrs. Catherine Pritchard Lindsey of Penfield, New York; and to his sons, William S. Pritchard, Jr. and Donald Ross Pritchard.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, H. J. R. 86, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bowers, Holman, Jackson (Jefferson), Cook (Jefferson), Money, Sessions, Ellis, Crane, House, Cherner and Adwell:

H. J. R. 87. WHEREAS one of Alabama's leading citizens and highly respected attorneys, Mr. Roderick Beddow, was honored in his home city of Birmingham on April 12th when over six hundred members of the Lions Club, state officials and other dignitaries assembled at a banquet in celebration of Roderick Beddow Night; and

WHEREAS Mr. Beddow, graduate of Washington and Lee University and of the University of Alabama Law School, has since his admission to the bar in 1913, built an enviable reputation as a most successful practitioner of law. His legal ability and colorful skill as a defense attorney in courtroom trials are legendary, and his meticulous devotion to duty in the causes he represents have brought him the highest respect of his fellow attorneys. Mr. Beddow is a member of the American Bar Association, the American Trial Lawyers Association, the Alabama Trial Lawyers Association, the Alabama State Bar and the Birmingham Bar. From 1951 to 1955 he served as secretary of the Alabama Trial Lawyers Association, and he is a past president of both the Alabama State Bar and Birmingham Bar; and

WHEREAS Mr. Beddow is a great humanitarian, who in addition to being a legal defender of the oppressed, is a contributor of limitless time, effort and financial aid in assisting others, and particularly in helping to restore sight to the blind; and

WHEREAS in recognition of Mr. Beddow's distinguished service as an active and effective leader in the Lions Club International which organization he has served as both vice-president and president, members and officials came from distant areas of the United States and several foreign countries to honor him; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we take cordial note of the recognition and honor paid to Mr. Beddow on Roderick Beddow Night, and extend to him our grateful appreciation and warm commendation for his many contributions to this State.

RESOLVED FURTHER That copies of this resolution be sent to Mr. Beddow and to the Lions Club International.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, H. J. R. 87, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 80. Relative to adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee on Conference on the House amendment to the bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies.

or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

And the Speaker of the House has appointed as a Committee on the part of the House Messrs. Pennington, Drake and Owen.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Thomas, Bank and Culver:

H. 233. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 56, H. B. 285, Regular Session 1953, an act levying additional privilege or license taxes in Tuscaloosa County (Acts 1953, p. 76), is hereby amended to read as follows:

"Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the following respective meanings:

"The words 'the state' mean the State of Alabama.

"The words 'the county' mean Tuscaloosa County in the state.

"The words 'the city' mean the City of Tuscaloosa in the state.

"The words 'the county board of education' mean the board of education of Tuscaloosa County, Alabama.

"The words 'the city board of education' mean the board of education of the City of Tuscaloosa, Alabama.

"The words 'the hospital board' mean the Druid City Hospital Board created by Act No. 540 adopted at the 1947 Regular Session of the Legislature of Alabama, approved October 8, 1947.

"The words 'the tax board' mean the Tuscaloosa County Special Tax Board created in Section 9 of this act.

"The words 'state sales tax statutes' mean the provisions of Act No. 100, adopted at the Special Session of the Legislature of Alabama which convened on June 24, 1959, as amended and supplemented before March 2, 1967.

"The words 'state use tax statutes' mean the provisions of Article 11 of Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented before March 2, 1967.

"The words 'quarterly period' mean each period of three calendar months commencing on each January 1, April 1, July 1, and October 1.

"Pronouns include all genders.

"Those of the words and phrases used in Section 3 of this act that are defined in the state sales tax statutes shall have the meanings respectively given them in the state sales tax statutes. Those of the words and phrases used in Section 4 of this act that are defined in the state use tax statutes shall have the meanings respectively given them in the state use tax statutes."

Section 2. Section 3 of said Act No. 56 of 1953, as amended, is amended further to read as follows:

"Section 3. Levy of Sales Tax. There is hereby levied in the county, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

"(a) Upon every person, firm, or corporation (including the University of Alabama, and all other institutions of higher learning in the county, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged, or continuing within the county, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to two per cent (2%) of the gross proceeds of sales of the business, except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the entire business.

"(b) Upon every person, firm, or corporation engaged, or continuing within the county, in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, mov-

ing picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football, basketball, and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be a denominational, state, county, or municipal institution or association or a state, county, or city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the county, an amount equal to two per cent (2%) of the gross receipts of any such business.

"(c) Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail any automotive vehicle or truck trailer or semi-trailer, an amount equal to one-half of one per cent ($\frac{1}{2}$ of 1%) of the gross proceeds of the sale of said automotive vehicle or truck trailer or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

"(d) Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to one-half of one per cent ($\frac{1}{2}$ of 1%) of the gross proceeds of the sale of such machines; provided, that the term 'machines,' as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

"Each exemption provided for in the state sales tax statutes, and as they may from time to time hereafter be amended, shall during the period of time when such exemption shall be effective in said statutes, be applicable to the tax levied in this section; provided, that in the event of the repeal of the state sales tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. In addition thereto, and except as expressly enumerated hereinabove, there are hereby exempted from the tax levied in this section the gross receipts or gross proceeds of any business engaged in by any city or town in Tuscaloosa County. In the absence of any express provision herein to the contrary, all provisions and procedures with respect to the application for and issuance of licenses, the making of returns or reports, the contents of returns or reports, collection and payment of taxes, keeping of records, reporting and paying taxes with respect to sales on credit, determination of the amount of the tax due, penalties, assessments, notices, and examinations of taxpayers and their books provided for in the state sales tax statutes with respect to the tax levied in those statutes shall be applicable to the tax levied in this section, excepting however, the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided however that any procedure or provisions involving the State Department of Revenue which is incorporated herein by reference to the state sales tax statutes shall be deemed to apply, with respect to the tax levied in this section, to the tax board. Every person, firm, or corporation engaged in any business upon which the tax levied

in this section is imposed shall add the tax herein levied to the sales and admission price with respect to which the said tax is levied and shall collect the same from the purchases.

"(e) The sale of school lunches sold by all public and private schools in Tuscaloosa County, Alabama, is hereby expressly exempted.

"(f) Any person who is obligated to furnish materials under a written construction contract entered into before the effective date of this amendatory act shall be entitled to a refund of fifty per cent (50%) of any tax paid after the effective date of the act on account of materials purchased and furnished in accordance with the contract, provided his claim therefor, supported by vouchers, invoices, and receipts showing payment of the tax, is filed with the authority collecting the tax on or before the thirtieth day of the month next succeeding the quarterly period in which the tax was paid."

Section 3. Section 4 of said Act No. 56 of 1953 is hereby amended to read as follows:

"Section 4. Levy of Use Tax.

"(a) An excise tax is hereby imposed on the storage, use or other consumption in the county of tangible personal property purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of two per cent (2%) of the sale price of such property, regardless of whether the retailer who made the sale is or is not engaged in business in the county, except as provided in subsections (b) and (c) of this section.

"(b) An excise tax is hereby imposed on the storage, use or other consumption in the county of any automotive vehicle or truck trailer and semi-trailer purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of one-half of one per cent ($\frac{1}{2}$ of 1%) of the sales price of such automotive vehicle, truck trailer or semi-trailer.

"(c) An excise tax is hereby imposed on the storage, use or other consumption within the county of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this act, at the rate of one-half of one per cent ($\frac{1}{2}$ of 1%) of the sales price of any such machine; provided, that the term 'machine,' as herein used, shall include machinery which is used for mining, quarrying, compounding, or processing, or manufacturing tangible personal property, and parts of such machines, attachments, and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

"Every person storing, using or otherwise consuming in the county tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in the county, showing that the property in question was purchased at retail from such retailer and the tax levied in Section 3 hereof has been paid with respect to the purchase at retail of such property shall be sufficient to relieve the purchaser from further liability for a tax under this section with respect to the use, storage, or consumption of such property. Each exemption provided for in the state use tax statutes as amended by Act. No. 99 of the 1959 Special Session of the Legislature of Alabama, approved August 18, 1959, and as they may from time to time hereafter be amended, shall, during the period of time when such exemption shall be effective in said statutes, be applicable

to the tax levied in this section; provided, that in the event of the repeal of the state use tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. All provisions and procedures with respect to the filing of returns, collections and payment of taxes, keeping of records, making of reports, determination of the amount of the tax due, penalties, assessments, notices, examinations of tax payers and their books provided in the state use tax statutes, as hereafter amended, with respect to the tax levied in those statutes shall be applicable to the tax levied in this section excepting, however, the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided, however, that any procedure or provisions involving the State Department of Revenue which is incorporated herein by reference to the state use tax statutes shall be deemed to apply, with respect to the tax levied in this section to the tax board."

Section 4. Section 11 of said Act. No. 56 of 1953 is hereby amended to read as follows:

"Section 11. Disposition of Revenues. Any and all expenses, including (but without limitation to) salaries, office rent, and other expenses that may be necessary to provide for the collection and distribution of the taxes herein levied as may be authorized or approved by the tax board, shall be deducted by the tax board and paid out of the proceeds from said collections before any distribution of said proceeds. After deduction of said expenses, the tax board shall distribute the remaining proceeds from the said taxes as follows:

"(a) Thirty-two and one-half per cent ($32\frac{1}{2}\%$) of said proceeds remaining shall be paid to the City of Tuscaloosa for general municipal purposes;

"(b) Five per cent (5%) of said proceeds remaining shall be paid to the City of Northport for general municipal purposes;

"(c) Twelve and one-half per cent ($12\frac{1}{2}\%$) of said proceeds remaining shall be paid to Tuscaloosa County for general county purposes;

"(d) Ten per cent (10%) of said proceeds remaining shall be paid to the hospital board, which shall use said proceeds solely to defray all or a part of the costs of any hospital operated by the hospital board for hospital services furnished to charity patients who are residents of the county, including any municipality therein;

"(e) Twenty per cent (20%) of said proceeds remaining shall be paid to the county board of education, which shall use said proceeds solely for public school purposes in the county, including (but without limitation to) payment of any warrants, notes and other obligations of the county board of education which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such buildings and acquiring sites therefor;

"(f) Twenty per cent (20%) of said proceeds remaining shall be paid to the city, which shall use said proceeds solely for public school purposes in the city, including (but without limitation to) payment of any bonds, warrants, notes and other obligations of the city which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school

purposes, and equipping, furnishing, maintaining, repairing or replacing any such building and acquiring sites therefor.

"The proceeds for which distribution is provided in sub-sections (a), (b), (c), (d), (e), and (f) of this section shall be paid over to the beneficiaries thereof, respectively, on or before the tenth day of the calendar month next succeeding the calendar month in which said proceeds shall have been received by the tax board. The tax board is hereby authorized to retain on hand at all times as a revolving or contingent fund for payment of its expenses, as provided for in section 9 (c) of this act, such amount of said tax proceeds as it deems expedient; provided, that as disbursements are made from said revolving or contingent fund the tax board shall have the power, immediately or at such time as it deems convenient, to restore the moneys so disbursed out of the proceeds from the taxes herein levied; and provided, further, that the said revolving or contingent fund shall not at any time exceed ten per cent (10%) of the collections made under this act during the then preceding calendar month."

Section 5. This act shall become effective on the first day of the first calendar month next following the date of its enactment.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the GRAPHIC, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1967.

MRS. BETTY PEARY.

Sworn to and subscribed before me April 13, 1967.

KARL ELEBASH,
Publisher.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 233. To the Committee on Local Legislation No. 1.

SELECT COMMITTEE APPOINTED

The President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Skidmore, Branyon, Engel, Nabors and Pierce to attend the funeral of Representative Hugh Thomas in Tuscaloosa tomorrow.

REPORTS OF COMMITTEES

Mr. Albea, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Garrett (with amendment):

H. 170. Proposing an amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

The above Bill was read a second time at length as required by the Constitution.

Mr. Turner, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Springer et al:

H. 211. To amend Sections 7, 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234, to provide for the salary of the Chief Examiner and the Assistant Chief Examiner of the Department of Examiners of Public Accounts; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

RECESS

At 6 o'clock P. M., on motion of Mr. Gilmore, the Senate took a recess until 8 o'clock tonight.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Engel	Lindsey	Pelham
Adams	Giles	Lolley	Pierce
Albea	Gilmore	McCarley	Radney
Bailes	Givhan	McDermott	Skidmore
Branyon	Harris	Morrow	Stone
Childs	Hawkins	Nabors	Torbert
Clark	Jackson	O'Bannon	Turner
Cooper	Leonard	Oden	Vacca
Dominick			

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FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion to postpone for two Legislative Days the motion to reconsider the vote by which the Bill, S. B. 15, was passed.

And said motion to postpone was then adopted, and the Senate did postpone further consideration of the motion to reconsider the vote by which the Bill, S. B. 15, was passed until the Twenty-Ninth Legislative Day.

MOTION TO RECONSIDER

The question was then on the motion made by Mr. Bailes on the Twenty-Sixth Legislative Day that the Senate reconsider the the vote by which the Bill, S. B. 14, was lost on the Twenty-Fifth Legislative Day.

Mr. Cooper moved that the motion to reconsider be postponed for two Legislative Days.

ADJOURNMENT

At 10:20 P. M., on motion of Mr. Morrow, pending further consideration of the motion to postpone for two Legislative days the motion to reconsider the vote by which the Bill, S. B. 14, was lost, the Senate adjourned until Wednesday, April 26, 1967, at 12 o'clock Noon.

TWENTY-EIGHTH LEGISLATIVE DAY

WEDNESDAY, APRIL 26, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Major B. T. Lewis, Salvation Army, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the

Journal of the Senate for the Twenty-Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Seventh Legislative Day was approved by the Senate.

REPORTS OF COMMITTEES

Mr. Folsom, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Shumate and Dobbs:

H. 234. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

By Messrs. Thomas, Bank and Culver (with notice and proof):

H. 233. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

RESOLUTION

Messrs. Givhan, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Engel, Folsom, Giles, Gilmore, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca and Lieutenant Governor Brewer offered the following Senate Joint Resolution, to-wit:

S. J. R. 52. WHEREAS former Governor George C. Wallace made a splendid appearance on the television-radio program, "Meet the Press" on Sunday, April 23, of which all Alabamians can be exceedingly proud. His position, which he clearly and forthrightly stated without equivocation, was one which we can and do wholeheartedly support. The content of his statements and the manner in which he handled the barrage of questions was a masterful performance which placed his case squarely before the nation in a light hitherto unseen in many areas of the country; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend former Governor Wallace upon his most successful appearance on "Meet the Press," and heartily endorse his position as there stated. We urge him to continue his fight for constitutional government and states' rights and assure him that we will back him one hundred percent to a successful conclusion of his efforts.

On motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS
MOTIONS AND RESOLUTIONS

The Senate proceeded to consideration of the Unfinished Business for today, which was the motion made by Mr. Cooper to postpone for two Legislative days the motion by Mr. Bailes that the Senate reconsider the vote by which the Bill, S. B. 14, was lost on the Twenty-Fifth Legislative Day.

Mr. Bailes moved as a substitute motion that the motion to reconsider be carried over temporarily. On motion of Mr. Cooper, said motion was laid on the table.

Yeas 20; Nays 6.

Yeas:

Messrs.:	Gilmore	Leonard	Oden	
Adams	Givhan	Lindsey	Stone	
Childs	Goodwyn	Lolley	Torbert	
Clark	Hawkins	McCarley	Turner	
Cooper	Jackson	Morrow	Vacca	
Folsom				—20

Nays:

Messrs.:	Bailes	Dominick	Pelham	
Albea	Carr	Harris		—6

The question recurred on the motion of Mr. Cooper that the motion to reconsider the vote by which the Bill, S. B. 14, was lost be postponed for two Legislative days, which motion was adopted, and further consideration of the motion to reconsider was postponed until the Thirtieth Legislative Day.

Yeas 20; Nays 6.

Yeas:

Messrs.:	Gilmore	Leonard	Oden	
Adams	Givhan	Lindsey	Stone	
Childs	Goodwyn	Lolley	Torbert	
Clark	Hawkins	McCarley	Turner	
Cooper	Jackson	Morrow	Vacca	
Folsom				—20

Nays:

Messrs.:	Bailes	Dominick	Pelham	
Albea	Carr	Harris		—6

RECESS

At 12:38 P. M., Mr. Cooper moved that the Senate take a recess until 3 o'clock this afternoon, in order that the Senate may be represented at the funeral of Representative Hugh Thomas. Mr. Morrow moved as a substitute motion that the Senate take a recess until 5:30 o'clock this afternoon, which motion was adopted.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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RESOLUTIONS

Mr. Turner offered the following Senate Joint Resolution, to-wit:

S. J. R. 53. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Joint Interim Committee on Finance and Taxation created by Senate Joint Resolution No. 2, of the First Special Session, 1967, shall continue in existence until the 15th day of June, 1967, pursuant to all the terms and conditions contained in said Senate Joint Resolution No. 2, except the expiration date of said committee.

BE IT FURTHER RESOLVED that when the two houses adjourn on the legislative day of the 1967 Regular Session of the Legislature next preceding the 15th day of May, 1967, they stand adjourned and in recess until 12:00 o'clock noon on the 13th day of June, 1967, without pay or expenses to the members except the expense allowance authorized by Senate Joint Resolution No. 4 of the First Special Session, 1967.

On motion of Mr. Turner, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Bailes offered the following Senate Joint Resolution, to-wit:

S. J. R. 54. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the printed Journals and Acts of the Organizational Session and this Special Session of the Legislature of 1967 be bound respectively with the printed Journals and Acts of the Regular Session which commences in May of 1967.

On motion of Mr. Bailes, the Rules were suspended and the Resolution was adopted by the Senate.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Albea, further consideration of the Bill, S. B. 5, was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 85. Proposing an amendment to Section 83 of Article 4, Constitution of Alabama, providing for election of the speaker of the house by secret ballot.

was taken up.

RECESS

At 7:30 P. M., on motion of Mr. Cooper, the Senate took a recess until 9 o'clock tonight.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

FURTHER CONSIDERATION OF S. B. 85

The Senate proceeded to further consideration of the Bill, S. B. 85.

ADJOURNMENT

At 10:31 P. M., on motion of Mr. Nabors, pending further consideration of the Bill, S. B. 85, the Senate adjourned until Thursday, April 27, 1967, at 10 o'clock A. M.

TWENTY-NINTH LEGISLATIVE DAY

THURSDAY, APRIL 27, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Lt. Col. Claude Bond, Chief of USAF Chaplain Board, Maxwell Air Force Base.

ROLL CALL

Present:

Messrs.:	Dominick	Jackson	Oden
Adams	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Branyon	Gilmore	McCarley	Skidmore
Carr	Givhan	McDermott	Stone
Childs	Goodwyn	Morrow	Torbert
Clark	Harris	Nabors	Turner
Cooper	Hawkins	O'Bannon	Vacca

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JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Eighth Legislative Day and finds

same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Eighth Legislative Day was approved by the Senate.

RESOLUTIONS

Mr. Radney offered the following Senate Resolution, to-wit:

S. R. 55. WHEREAS The sneak bombing attack on the home of a defenseless private citizen of Montgomery, on Tuesday night, April 25, was an irrational demonstration of the lengths to which some warped individuals will go to wreak vengeance upon their enemies. It was the ruthless and vicious act of a misguided, cowardly and demented criminal or criminals unknown, whose capture and conviction is imperative; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we commend Governor Lurleen Wallace and the City Commission of Montgomery for their prompt action in offering rewards for the discovery of the identities of the perpetrators of this dreadful crime, which we so strongly deplore and condemn.

On motion of Mr. Radney, the Rules were suspended and the Resolution was adopted by the Senate.

REQUEST RELATIVE TO SENATE RULES

WHEREAS, There are many important and vital issues commanding the undivided attention of members of the Senate; and

WHEREAS the Senate Rules have been designed to insure the greatest possible working arena for its members free from interference and distraction; now therefore

We, the following Senators, wish to request that Senate Rules 3 and 5 be strictly enforced during the 1967 Special Session, without intending malice or disrespect to any person or group.

BOB HARRIS
PIERCE
PELHAM
COOPER
BAILES
RADNEY
NABORS

The foregoing request was read and ordered spread upon the Journal.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 85. Proposing an amendment to Section 83 of Article 4, Constitution of Alabama, providing for election of the speaker of the house by secret ballot.

On motion of Mr. Dominick, further consideration of the Bill was carried over temporarily.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Skidmore, further consideration of the Bills, S. B.'s 73 and 74, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 153. Relating to costs and fees in criminal cases, providing for assessment of counsel fees as court costs in certain cases.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Giles	Leonard	Pelham
Adams	Gilmore	Lindsey	Pierce
Albea	Givhan	Lolley	Radney
Bailes	Goodwyn	McCarley	Skidmore
Childs	Harris	McDermott	Stone
Cooper	Hawkins	Morrow	Torbert
Dominick	Jackson	Nabors	Turner
Folsom			

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Nays:

—0

The Bill:

H. 26. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Was read a third time at length and passed.

Yeas 24; Nays 3.

Yeas:

Messrs.:	Folsom	Leonard	Pierce
Adams	Giles	Lindsey	Radney
Albea	Goodwyn	Lolley	Skidmore
Bailes	Harris	McCarley	Stone
Branyon	Hawkins	Nabors	Torbert
Childs	Jackson	Pelham	Turner
Cooper			

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Nays: Messrs: Dominick, McDermott, Morrow

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CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Turner, further consideration of the Bill, S. B. 82, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

Substitute for H. B. 219

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions respecting remittances by the judges of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; and to those ends, to amend Sections 692, 693, 695, 696, 697, 703, and 713 of Title 51 of the Code of Alabama of 1940, to repeal Sections 698, 699, and 700 of the said Title 51, and all other statutes in conflict with this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 692 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 692 shall read as follows:

Section 692. The following words and phrases, wherever used in this article, shall have the meanings ascribed to them in this section.

"Dealer" means every person currently licensed by this state to engage in the business of buying, selling, or exchanging vehicles required to be registered hereunder who has an established place of business for such purpose in this state and to whom current dealer registration plates have been issued by the Department of Revenue.

"Established Place of Business" means a place actually occupied either continuously or at regular periods at or from which a business or a part thereof is transacted.

"Farm Tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements designed and used for agricultural purposes and only incidentally moved upon public highways.

"House Trailer" means any trailer or semi-trailer which was designed to be drawn by another vehicle and (a) to provide living and sleeping facilities, or either, or (b) for use as an office, apartment, storehouse, or warehouse, or (c) for display and promotion of merchandise and services or any similar purpose, and which is not used to transport property for hire or for distribution by a private carrier, but not including (1) camping trailers with tops and sides, or either, which fold or collapse for intransit movement and (2) trailers which, although of

the type customarily used for purposes referred to in the foregoing clauses (a) and (b), are actually used for the purpose of transporting property for hire or property for distribution by a private carrier.

"Jitney Bus" means a motor vehicle engaged in the business of carrying passengers for hire over, along and upon a definite or substantially fixed route or routes, in the incorporated limits of any municipality or within ten miles thereof, except where such vehicle is operated in conjunction with, or in lieu of, a street railway system or duly franchised bus operation authorized by the governing body of a city and the Alabama Public Service Commission (all such motor vehicles that are excepted in the exception clause of this definition being subject to the license tax specified in Section 695(a) of this title).

"Motor Vehicle" means every vehicle which is self-propelled, every vehicle which is propelled by electric power from overhead trolley wires, and every vehicle that is drawn by a self-propelled vehicle, including every trailer and semitrailer.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, including motor scooters and motor bicycles, but not including farm tractors.

"Municipality" means any incorporated city or town in this state.

"Nonresident" means every person who is not a resident of this state.

"Owner" means any of the following: (a) a person or persons holding the legal title to a motor vehicle; (b) the mortgagor or conditional vendee of a vehicle that is the subject of a chattel mortgage or an agreement for the conditional sale thereof or other like agreement, with the right of purchase upon performance of the conditions stated in the agreement, and with the immediate right of possession vested in the mortgagor or conditional vendee, and (c) the lessee of a vehicle owned by the United States of America or any of its agencies or instrumentalities.

"Private Passenger Automobile" means and includes every motor vehicle designed primarily for the transportation of nine persons or less except the following: (1) motorcycles; (2) motor vehicles used in the transportation of persons for hire; (3) trailers or semi-trailers; or (4) self-propelled campers or house cars; and includes also every motor vehicle of the type usually referred to as a bus which is owned and operated by an individual for personal or private use and not for hire, rent or compensation. Motor trucks of the type commonly known as "pick-ups" or "pick-up trucks," regardless of the use made of any such motor trucks and regardless of whether the owner thereof owns or has access to any other mode of transportation, shall not be deemed to constitute a private passenger automobile.

"Person" means every individual, firm, partnership, association, estate, trust or corporation, and the receiver, assignee, agent, administrator, or other representative of any of them.

"Public Highway" means every highway, road, street, alley, lane, court, place, trail, drive, bridge, viaduct or trestle, located either within a municipality or in unincorporated territory, and laid out or erected as such by the public or dedicated or abandoned to the public or intended for use by or for the public. The term "public highway" shall apply to and include driveways upon the grounds of universities, colleges, schools and institutions, but shall not be deemed to include private driveways, private roads, or private places not intended for use by the public.

"Semitrailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and some part of its load rest upon or are carried by another motor vehicle.

"State" means a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

"Tax Year" means the tax year of this state, being the twelve months period commencing on each October 1.

"Trailer" means every vehicle without motive power designed to carry persons or property wholly on its own structure and to be drawn by another motor vehicle.

"Truck" means every motor vehicle designed and used primarily for the transportation of property in or upon its own structure and every vehicle, of the type commonly called a wrecker, which is used to move disabled motor vehicles for repair, storage and other purposes.

"Truck Tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"Utility Trailer" means a trailer primarily designed to be drawn by a passenger car or pick-up truck, including luggage trailers, boat trailers, folding or collapsible camping trailers, and other small trailers of similar size and function.

"Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by muscular power or used exclusively upon rails or tracks.

All references in this article to the judge of probate shall be deemed to include the commissioner of revenue, license commissioner, or other county official designated by law to register motor vehicles, issue license plates, and perform other duties in connection with motor vehicle licences.

Section 2. Section 693 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 693 shall read as follows:

Section 693. The following annual license taxes and registration fees are hereby imposed, and shall be charged, on each private passenger automobile operated on the public highways of this state and on each motorcycle operated on the said public highways:

- | | |
|---|---------|
| (a) For each private passenger automobile | \$13.00 |
| (b) For each motorcycle | 7.00 |

No private passenger automobile and no motorcycle shall be used on any public highway in the state unless the proper license tag therefor has been procured and is securely attached to the rear end thereof, such tag to be so attached right side up with the number thereof in an upright position and plainly visible.

The purchaser of any motor vehicle requiring a tag shall have four days from the date of its acquisition within which to procure the required tag.

Section 3. Section 695 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 695 shall read as follows:

Section 695. (a) The following annual license taxes and registration fees are hereby imposed, and shall be charged, on each automobile, motor bus or other motor vehicle (other than motor vehicles subject to the license provided for in paragraph (c) of this section and other than jitney busses subject to license under Section 694 of this title) used on public highways in this state for transporting passengers paying fare or charges:

With a seating capacity of five persons or less, \$47.50;

With a seating capacity of more than five persons and not exceeding ten persons, \$60.00;

With a seating capacity of more than ten persons and not exceeding fifteen persons, \$85.00;

With a seating capacity of more than fifteen persons and not exceeding twenty persons, \$110.00;

With a seating capacity of more than twenty persons and not exceeding forty persons, \$160.00;

With a seating capacity exceeding forty persons, \$210.00;

provided, however, that the Commissioner of Revenue of Alabama is hereby authorized and directed to apportion the amount of the license tax imposed in this subsection (a) in respect of any common carrier of passengers operating a fleet of two or more motor vehicles under the authority of the Interstate Commerce Commission so that the amount of the license tax imposed in this subsection (a) for any tax year shall bear the same relation to, and constitute the same proportion of, the total amount of all similar license taxes paid by the said common carrier in all states for the same tax year that the total number of miles operated by the fleet of the said common carrier in Alabama during the then preceding tax year bears to the total number of miles operated by such fleet in all states during the said preceding tax year; and provided, further, that the Commissioner of Revenue of Alabama is hereby authorized to promulgate such reasonable rules and regulations as may be necessary to effectuate such apportionment.

(b) Each person desiring to take out a license to operate a motor vehicle for the transportation of passengers for hire, except taxicabs and touring cars hired by the hour or for special trips on terms agreed upon between the passenger and the carrier at the time of entering upon such service, shall at the time he applies for such license make out in writing a statement describing the route over which such motor vehicle shall be operated and naming the terminal points thereof, and such route shall be plainly indicated on the motor vehicle in letters of sufficient size to be read at a distance of fifty feet.

(c) For each motor vehicle operated on public highways in this state as a part of a taxicab system, or similar system, the following annual license taxes or registration fees are hereby imposed and shall be charged:

For each vehicle weighing not exceeding 2,500 pounds, \$21.00;

For each vehicle weighing more than 2,500 pounds, but not exceeding 3,000 pounds, \$27.00;

For each vehicle weighing more than 3,000 pounds, but not exceeding 3,500 pounds, \$30.00;

For each vehicle weighing over 3,500 pounds, but not exceeding 4,000 pounds, \$36.00; and

For each vehicle weighing in excess of 4,000 pounds, \$40.00.

(d) For each motor bus operated on public highways in this state which is owned by a church, private school, hospital or other eleemosynary institution and used only for the purposes of such institution, regardless of whether any compensation may be charged to any passenger, a license tax or registration fee of \$13.00 is hereby imposed and shall be charged.

Section 4. Section 696 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 696 shall read as follows:

Section 696. For each ambulance and automobile hearse operated on the public highways in this state, the following annual license taxes and registration fees are hereby imposed and shall be charged: In each municipality of less than 10,000 inhabitants, and in all unincorporated territory, \$15.00; in each municipality of 10,000 to 40,000 inhabitants, \$25.00; in each municipality of 40,001 inhabitants to 100,000 inhabitants, \$35.00; and in each municipality of more than 100,000 inhabitants, \$55.00. Automobile hearses and ambulances shall carry symbol tags.

Section 5. Section 697 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 697 shall read as follows:

Section 697. For each truck and for each truck tractor, operated on the public highways of this state, the following annual license taxes and registration fees, based on the gross vehicle weight of such motor truck or motor tractor, are hereby imposed and shall be charged:

For each truck or truck tractor having the following gross weight in pounds:

	Amount of License Tax
0 to 6,000 pounds	\$ 13.00
6,001 to 12,000 pounds	35.00
12,001 to 18,000 pounds	50.00
18,001 to 24,000 pounds	65.00
24,001 to 30,000 pounds	220.00
30,001 to 36,000 pounds	270.00
36,001 to 42,000 pounds	325.00
42,001 pounds and over	475.00

Provided that the rates hereinabove specified shall be limited, in the case of trucks used by a farmer solely for transporting farm products or the personal property of the farmer for his use on the farm and trucks used for transporting forest products to a maximum of \$35.00 where the gross vehicle weight of the truck does not exceed 24,000 pounds and to a maximum of \$65.00 where the gross weight of the truck does not exceed 30,000 pounds.

For the purposes of this section, gross vehicle weight shall mean the empty weight of the truck or truck tractor and, in the case of combinations, the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error allowable under any other provision of law shall be deemed applicable to the provisions of this section. Every person making application for a license to use a truck or truck tractor on the public highways of this state shall be required to make an affidavit declaring the gross vehicle weight of such truck or truck tractor and file the said affidavit with the judge of probate, or other county licensing officer, in the county in which the said application is made.

Upon payment of the applicable motor vehicle license tax or registration fee, the license to use the said truck or truck tractor on the public highways of this state shall be deemed limited to the gross vehicle weight so declared by the owner, which shall be deemed to constitute the allowable gross vehicle weight for which the said vehicle is licensed.

After having obtained a license hereunder with respect to any truck or truck tractor, the owner thereof may during the then current tax year voluntarily increase the allowable gross weight for which his vehicle is licensed by making a new affidavit, applying for a new license applicable to the appropriate gross vehicle weight classification, surrendering the license plates or tags previously obtained, and paying the difference between the fees applicable to a license for the higher weight classification desired and the fee in respect of the license so surrendered. The license classification of a truck or truck tractor may not be decreased, however, except once a year at the time new license tags or plates are purchased for such truck or truck tractor. If upon inspection, the gross vehicle weight of any truck or truck tractor licensed hereunder is found to weigh more than is permitted by the license plates which it carries (regardless of whether such weight is below the legal maximum permitted for other than licensing purposes), the owner of such truck or truck tractor shall be required immediately to pay the fee applicable to the gross vehicle weight disclosed by the said inspection, shall be allowed no credit for the surrendered under-rated license plates or tags, and shall be subject to the penalty prescribed by law for using a motor vehicle with an improper license.

Any truck or truck tractor, either new or used, that may be acquired or brought into this state during the first quarter of a tax year, or that may be operated in this state during such period, shall pay the full annual license tax or fee specified herein. Any truck or truck tractor that may be acquired or brought into this state in any subsequent quarter of the tax year (and that shall not theretofore have become subject to license hereunder by virtue of operation on the highways of this state in any then preceding quarter of the tax year) shall be licensed on a quarterly declining basis, and the amount of the license tax or fee shall be an amount equal to one-fourth of the applicable license tax or fee multiplied by the number of quarter years intervening between the date such truck or truck tractor is acquired or brought into the state and the first day of the then succeeding tax year; provided, that for purposes of computing the amount of the license tax or fee on a quarterly declining basis, any part or fraction of a quarter year shall be counted as a full quarter year and any amount less than ten cents shall be figured to the nearest ten cents above the fraction thereof, and in no event shall the cost of the license be less than \$3.25. The division of the tax year into quarters, as herein provided, shall be on the basis of calendar months of the entire tax year.

Section 6. Section 703 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 703 shall read as follows:

Section 703. For each trailer (other than house trailers) and each semitrailer operated on the public highways of this state, the following annual license taxes and registration fees are hereby imposed and shall be charged:

(a) For each privately owned utility trailer, which is not operated for hire, lease or rental, \$3.00;

(b) For each utility trailer, rented or leased for compensation of any kind or nature, \$8.00;

(c) For each truck trailer or semitrailer, \$15.00; and

(d) For each trailer of any kind other than house-trailers and other than those trailers referred to in the foregoing clauses (a), (b), and (c), of this section, \$15.00;

provided, however, that any trailer or semitrailer used by a farmer exclusively for transporting farm products to and from market or for transporting the personal property of a farmer for his use on the farm shall not be subject to the license taxes and registration fees provided for in this section. Trailers of any kind or description for hauling passengers for hire are prohibited by law and shall not be licensed under this article.

Housetrailer, which are excluded from the foregoing provisions of this section, are subject, however, to the registration fee provided for in Act No. 44 adopted at the 1961 Special Session of the Legislature, as amended, and to the other provisions of the said Act No. 44, as amended.

Section 7. Section 712 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 712 shall read as follows:

Section 712. On or before the tenth day of each month, the judge of probate must disburse all money received by him during the then preceding month in respect of motor vehicle licenses and registration fees as follows:

(a) Two and one-half per cent of the total money so collected shall be retained by the judge of probate as compensation for collecting such money; but no such compensation shall be allowed with respect to any money not remitted pursuant to clauses (b) and (c) of this section at the time when such remittances are provided in this section to be made;

(b) Five per cent of all money so collected must be remitted to the state treasurer; and

(c) The residue of the money so collected shall be remitted as provided in Section 713 of this title;

provided, however, that the judge of probate shall have an additional period of ten days within which to make remittances of amounts collected by him during the months of October, November, and December and remittances with respect to collections during any of those months shall be made on or prior to the twentieth day of the then next succeeding month. At the time that each monthly remittance is made as herein provided, the judge of probate shall forward to the comptroller and to the department of revenue each a certified list of all motor vehicle licenses issued by the judge of probate during the then preceding month, stating therein the amount collected for each license tag, the number of the tag, the motor number of the vehicle or vehicle identification number in lieu of the motor number, the serial number of the vehicle, the name and address of its owner, and the date of the issuance of said tag; provided, however, that in all counties having over 600,000 population according to the last or any subsequent federal census the date of the issuance of the tag shall not be included in the certified list of all motor vehicle licenses issued. If no such licenses shall have been issued during any month by the judge of probate, he shall report that fact to the said comptroller and to the said department on or prior to the tenth day of the then next succeeding month. If any judge of probate fails to comply with the provisions of this section within five days after the date on which he is required to make any report or remittance hereunder, the comptroller shall forthwith report such failure to the Governor, who shall cite such judge of probate to show cause why he has not made report of the list of motor vehicle licenses

and paid over the amount collected by him as required by law, and if such judge of probate fails to show sufficient cause for such failure, the Governor shall direct the attorney general to institute impeachment proceedings against him before the supreme court.

Section 8. Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 713 shall read as follows:

Section 713. The moneys collected each month by the judge of probate from motor vehicle license taxes and registration fees, after deducting therefrom the amounts referred to in clauses (a) and (b) of Section 712 of this title (the moneys remaining after making the said deductions being referred to in this section as "the net proceeds") shall be distributed by the judge of probate as follows:

(a) Seventy-two percent of the net proceeds shall be distributed to the State of Alabama and shall be remitted by the judge of probate to the State Treasurer;

(b) Twenty-one percent of the net proceeds shall be remitted by the judge of probate (1) to the municipality in which the owner of the motor vehicle resides or with respect to which it is registered, or (2) if the said owner does not reside in, or the vehicle is not registered with respect to, an incorporated municipality, then to the county in which the license tax or registration fee with respect to the said motor vehicle is paid; and

(c) Seven percent of the net proceeds shall be remitted by the judge of probate to the State Treasurer and shall be apportioned by the State Treasurer and distributed by him as follows:

(1) Seventy percent of the said seven percent shall be divided equally among and remitted to the several counties of the state, and the governing body of each county shall apportion the moneys so remitted to it among the several municipalities therein and the said county itself so that the amount paid to each such municipality and to the county shall bear the same relation to, and constitute the same proportion of, the total amount remitted to the said county that the total number of motor vehicles registered during the then preceding tax year with respect to each such municipality and with respect to the unincorporated portion of the county bears to the total number of motor vehicles registered in the entire county during the said then preceding tax year; and

(2) Thirty percent of the said seven percent shall be apportioned among and remitted to the several counties of the state in an amount for each county that bears the same relation to, and constitutes the same proportion of, the total of the said thirty percent that the total number of motor vehicles registered in each county bears to the total number of motor vehicles registered in the entire state; and the moneys so remitted to each county shall be divided among the county and the municipalities therein on the same basis as provided in the foregoing subparagraph (1) of this paragraph (c).

Payments of the amounts herein provided to be remitted to counties shall be made quarterly by state warrant to be mailed to the county treasurer (or other officer or entity having the functions of a county treasurer) of each county; and each such county treasurer (or other officer or entity as aforesaid) shall, forthwith upon receipt of such moneys from the State Treasurer, make the remittances to the municipalities in the said county hereinabove provided for.

The amounts remitted to the State Treasurer pursuant to clause (a) of the said Section 712 and all moneys provided in this section to be distributed to the State of Alabama shall be covered into the treasury to the public road and bridge fund and disbursed as follows: (1) The amounts appropriated by the legislature, out of the motor vehicle license taxes and registration fees, for payment of expenses of the department of revenue in the collection of the said taxes and fees, including salaries, cost of tags, and other costs of collection, shall be paid out of the portion of the said taxes and fees that is remitted to the State Treasurer pursuant to clause (a) of the said Section 712; (2) so much of the net proceeds distributed to the State of Alabama pursuant to the provisions of this section as shall be necessary for such purpose shall be used to pay at their respective maturities the principal of and interest on bonds issued after March 1, 1967, by Alabama Highway Authority, a public corporation created and existing under Act No. 43 adopted at the First Special Session of 1955 of the Legislature; and (3) the balance of the moneys referred to in clauses (1) and (2) of this paragraph remaining after compliance with the said clauses (1) and (2), respectively, shall be used by the state highway department for construction and maintenance of public roads and bridges in the state and for any other purpose for which moneys in the public road and bridge fund may be lawfully used.

All moneys received by a municipality or county under this section shall be used by such municipality or county exclusively for the construction, improvement and maintenance of public highways or public streets, including administrative expenses in connection therewith and retirement of securities evidencing obligations incurred for payment of costs of such construction, improvement and maintenance.

Section 9. The following shall be and hereby are repealed: (a) Sections 698, 699, and 700 of Title 51 of the Code of Alabama of 1940; (b) Act No. 315 adopted at the 1951 Regular Session of the Legislature and relating to licenses and registration fees on automobiles designed and used primarily for private passenger purposes and motorcycles; (c) Act No. 775 adopted at the 1953 Regular Session of the Legislature, relating to licenses and registration fees on motor trucks of the type known as "pick-up" or "pick-up trucks" having three-fourths ton capacity or less and constituting the only mode or method of transportation owned by its owner or available for use in his household; (d) Act No. 672 adopted at the 1961 Regular Session of the Legislature, as amended; and (e) all other laws or portions thereof in conflict with the provisions of this act. This act shall not be deemed to repeal or modify any of the following statutes: Section 101 of Title 35 of the Code of Alabama of 1940; Act No. 359 adopted at the 1951 Regular Session of the Legislature; Act No. 765 adopted at the 1953 Regular Session of the Legislature; Act No. 308 adopted at the 1955 Regular Session of the Legislature, as amended; Act No. 68 adopted at the 1959 Second Special Session of the Legislature; Act No. 576 adopted at the 1963 Regular Session of the Legislature; and Acts Nos. 74 and 116 adopted at the 1965 Second Special Session of the Legislature; and each of the statutes referred to in this sentence shall remain in full force and effect.

Section 10. It is the intention of the Legislature by the enactment of this act to raise revenue and to appropriate funds to pay the principal of and interest on bonds that may be issued by the Alabama Highway Authority, a public corporation existing under the laws of this state, for the purpose of constructing highways and bridges, to raise revenue and appropriate funds for other highway and bridge purposes and to raise revenue and appropriate funds to provide a program for road and street purposes of the counties and municipalities of this state.

Section 11. This act shall become effective October 1, 1967.

Which resulted in a tie vote.

Yeas 14; Nays 14.

Yeas:

Messrs.:	Cooper	Leonard	Skidmore	
Adams	Giles	Lindsey	Stone	
Branyon	Givhan	Lolley	Turner	
Childs	Goodwyn	McCarley		—14

Nays:

Messrs.:	Harris	Morrow	Pierce	
Albea	Hawkins	Nabors	Radney	
Bailes	Jackson	O'Bannon	Torbert	
Dominick	McDermott	Pelham		—14

PAIRED VOTE ANNOUNCED

Mr. Folsom announced that he was paired with Mr. Carr on this vote; that Mr. Carr, if present, would vote "Nay", and that he, Mr. Folsom, would vote "Aye".

TIE VOTE

The President and Presiding Officer of the Senate voted "Aye"; thereupon, the substitute was adopted.

RECESS

At 10:40 A. M., on motion of Mr. Cooper, the Senate took a recess until 11:15 A. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

RECESS

At 11:20 A. M., on motion of Mr. Morrow, the Senate took a recess until 12 o'clock Noon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended by the substitute.

Mr. Childs moved that the Senate reconsider the vote by which the substitute for the Bill, H. B. 219, was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

H. 233. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates

of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McCarley	Pelham	
Branyon	Givhan	McDermott	Pierce	
Carr	Goodwyn	Morrow	Skidmore	
Childs	Harris	Nabors	Torbert	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Dominick	Lolley			—25

Nays:

—0

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion to reconsider the vote by which the substitute for the Bill, H. B. 219, was adopted.

MOTION TO RECESS LOST

At 1:06 P. M., Mr. Bailes moved that the Senate take a recess until 5 o'clock P. M., which motion was lost.

Yeas 10; Nays 19.

Yeas:

Messrs.:	Childs	Nabors	Pierce	
Bailes	Dominick	O'Bannon	Radney	
Branyon	Harris	Pelham		—10

Nays:

Messrs.:	Giles	Leonard	Oden	
Clark	Gilmore	Lindsey	Skidmore	
Cooper	Givhan	Lolley	Stone	
Engel	Goodwyn	McCarley	Torbert	
Folsom	Jackson	McDermott	Turner	—19

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion to reconsider the vote by which the substitute for the Bill, H. B. 219, was adopted.

MOTION TO RECESS LOST

At 3:10 P. M., Mr. Bailes moved that the Senate take a recess until 5 o'clock P. M., which motion was lost.

Yeas 5; Nays 23.

Yeas:

Messrs.:	Carr	O'Bannon	Pierce	
Albea	Harris			—5

Nays:

Messrs.:	Folsom	Jackson	Nabors
Branyon	Giles	Leonard	Oden
Childs	Gilmore	Lindsey	Skidmore
Clark	Givhan	Lolley	Stone
Cooper	Goodwyn	McCarley	Torbert
Engel	Hawkins	Morrow	Turner

—23

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion to reconsider the vote by which the substitute for the Bill, H. B. 219, was adopted.

Mr. Nabors moved that further consideration of the motion to reconsider the vote by which the substitute for the Bill, H. B. 219, was adopted, be postponed for one Legislative Day.

On motion of Mr. Cooper, the motion to postpone the motion to reconsider was laid on the table.

Yeas 22; Nays 11.

Yeas:

Messrs.:	Folsom	Lindsey	Skidmore
Bailes	Giles	Lolley	Stone
Branyon	Gilmore	McCarley	Torbert
Clark	Givhan	O'Bannon	Turner
Cooper	Jackson	Oden	Vacca
Engel	Leonard	Radney	

—22

Nays:

Messrs.:	Childs	Hawkins	Nabors
Albea	Dominick	McDermott	Pelham
Carr	Harris	Morrow	Pierce

—11

And the motion to reconsider the vote by which the substitute for the Bill, H. B. 219, was adopted was then lost.

Yeas 14; Nays 20.

Yeas:

Messrs.:	Childs	McDermott	Pelham
Albea	Dominick	Morrow	Pierce
Bailes	Harris	Nabors	Radney
Carr	Hawkins	O'Bannon	

—14

Nays:

Messrs.:	Giles	Leonard	Skidmore
Branyon	Gilmore	Lindsey	Stone
Clark	Givhan	Lolley	Torbert
Cooper	Goodwyn	McCarley	Turner
Engel	Jackson	Oden	Vacca
Folsom			

—20

The question was then on the Bill, H. B. 219, as amended by the Committee substitute.

Mr. Nabors offered the following amendment to the Bill, H. B. 219, as amended by the substitute, to-wit:

AMENDMENT TO H. B. 219, as substituted

Amend Section 2 of H. B. 219, as substituted, as follows:

Delete the figure "\$13.00" wherever it appears in said Section 2 and substitute the figure "\$6.00" in lieu thereof.

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 22; Nays 12.

Yeas:

Messrs.:	Folsom	Leonard	Skidmore
Bailes	Giles	Lindsey	Stone
Branyon	Gilmore	Lolley	Torbert
Clark	Givhan	McCarley	Turner
Cooper	Goodwyn	Oden	Vacca
Engel	Jackson	Radney	

—22

Nays:

Messrs.:	Dominick	McDermott	O'Bannon
Albea	Harris	Morrow	Pelham
Carr	Hawkins	Nabors	Pierce
Childs			

—12

Mr. Cooper offered the following substitute for the Bill, H. B. 219, as amended, to-wit:

Substitute for H. B. 219, as Subt.

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions respecting remittances by the judges of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; and to those ends, to amend Sections 692, 693, 695, 696, 697, 703, 712, and 713 of Title 51 of the Code of Alabama of 1940 and to repeal Sections 698, 699, and 700 of the said Title 51, and all other statutes in conflict with this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 692 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 692 shall read as follows:

Section 692. The following words and phrases, wherever used in this article, shall have the meanings ascribed to them in this section.

"Dealer" means every person currently licensed by this state to engage in the business of buying, selling, or exchanging vehicles required to be registered hereunder who has an established place of business for such purpose in this state and to whom current dealer registration plates have been issued by the Department of Revenue.

"Established Place of Business" means a place actually occupied either continuously or at regular periods at or from which a business or a part thereof is transacted.

"Farm Tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements designed and used for agricultural purposes and only incidentally moved upon public highways.

"House Trailer" means any trailer or semi-trailer which was designed to be drawn by another vehicle and (a) to provide living and sleeping facilities, or either, or (b) for use as an office, apartment, storehouse, or warehouse, or (c) for display and promotion of merchandise and services or any similar purpose, but not including (1) camping trailers with tops and sides, or either, which fold or collapse for in-transit movement and (2) trailers which, although of the type customarily used for purposes referred to in the foregoing clauses (a), (b), and (c), are actually used for the purpose of transporting property for hire or property for distribution by a private carrier.

"Jitney Bus" means a motor vehicle engaged in the business of carrying passengers for hire over, along and upon a definite or substantially fixed route or routes, in the incorporated limits of any municipality or within ten miles thereof, except where such vehicle is operated in conjunction with, or in lieu of, a street railway system or duly franchised bus operation authorized by the governing body of a city and the Alabama Public Service Commission (all such motor vehicles that are excepted in the exception clause of this definition being subject to the license tax specified in Section 695(a) of this title).

"Motor Vehicle" means every vehicle which is self-propelled, every vehicle which is propelled by electric power from overhead trolley wires, and every vehicle that is drawn by a self-propelled vehicle, including every trailer and semitrailer.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, including motor scooters and motor bicycles, but not including farm tractors.

"Municipality" means any incorporated city or town in this state.

"Nonresident" means every person who is not a resident of this state.

"Owner" means any of the following: (a) a person or persons holding the legal title to a motor vehicle; (b) the mortgagor or conditional vendee of a vehicle that is the subject of a chattel mortgage or an agreement for the conditional sale thereof or other like agreement, with the right of purchase upon performance of the conditions stated in the agreement, and with the immediate right of possession vested in the mortgagor or conditional vendee, and (c) the lessee of a vehicle owned by the United States of America or any of its agencies or instrumentalities.

"Private Passenger Automobile" means and includes every motor vehicle designed primarily for the transportation of nine persons or less except the following: (1) motorcycles; (2) motor vehicles used in the transportation of persons for hire; (3) trailers or semitrailers; or (4) self-propelled campers or house cars; and includes also every motor vehicle of the type usually referred to as a bus which is owned and operated by an individual for personal or private use and not for hire, rent or compensation. Motor trucks of the type commonly known as "pick-ups" or "pick-up trucks," regardless of the use made of any such motor trucks and regardless of whether the owner thereof owns or has access to any other mode of transportation, shall not be deemed to constitute a private passenger automobile.

"Person" means every individual, firm, partnership, association, estate, trust or corporation, and the receiver, assignee, agent, administrator, or other representative of any of them.

"Public Highway" means every highway, road, street, alley, lane, court, place, trail, drive, bridge, viaduct or trestle, located either within a municipality or in unincorporated territory, and laid out or erected as such by the public or dedicated or abandoned to the public or intended for use by or for the public. The term "public highway" shall apply to and include driveways upon the grounds of universities, colleges, schools and institutions, but shall not be deemed to include private driveways, private roads, or private places not intended for use by the public.

"Semitrailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and some part of its load rest upon or are carried by another motor vehicle.

"State" means a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

"Tax Year" means the tax year of this state, being the twelve months period commencing on each October 1.

"Trailer" means every vehicle without motive power designed to carry persons or property wholly on its own structure and to be drawn by another motor vehicle.

"Truck" means every self-propelled motor vehicle designed and used primarily for the transportation of property in or upon its own structure, every self-propelled motor vehicle of the types known as "campers" and "house cars, and every vehicle, of the type commonly called a wrecker, which is used to move disabled motor vehicles for repair, storage and other purposes.

"Truck Tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"Utility Trailer" means a trailer primarily designed to be drawn by a passenger car or pick-up truck, including luggage trailers, boat trailers, folding or collapsible camping trailers, and other small trailers of similar size and function.

"Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by muscular power or used exclusively upon rails or tracks.

All references in this article to the judge of probate shall be deemed to include the commissioner of revenue, license commissioner, or other county official designated by law to register motor vehicles, issue license plates, and perform other duties in connection with motor vehicle licenses.

Section 2. Section 693 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 693 shall read as follows:

Section 693. The following annual license taxes and registration fees are hereby imposed, and shall be charged, on each private passenger automobile operated on the public highways of this state and on each motorcycle operated on the said public highways:

- | | |
|---|---------|
| (a) For each private passenger automobile | \$13.00 |
| (b) For each motorcycle | 7.00 |

No private passenger automobile and no motorcycle shall be used on any public highway in the state unless the proper license tag therefor has been procured and is securely attached to the rear end thereof, such tag to be so attached right side up with the number thereof in an upright position and plainly visible.

The purchaser of any motor vehicle requiring a tag shall have four days from the date of its acquisition within which to procure the required tag.

Section 3. Section 695 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 695 shall read as follows:

Section 695. (a) The following annual license taxes and registration fees are hereby imposed, and shall be charged, on each automobile, motor bus or other motor vehicle (other than motor vehicles subject to the license provided for in paragraph (c) of this section and other than jitney busses subject to license under Section 694 of this title) used on public highways in this state for transporting passengers paying fare or charges:

With a seating capacity of five persons or less, \$47.50;

With a seating capacity of more than five persons and not exceeding ten persons, \$60.00;

With a seating capacity of more than ten persons and not exceeding fifteen persons, \$85.00;

With a seating capacity of more than fifteen persons and not exceeding twenty persons, \$110.00;

With a seating capacity of more than twenty persons and not exceeding forty persons, \$160.00;

With a seating capacity exceeding forty persons, \$210.00;

provided, however, that the Commissioner of Revenue of Alabama is hereby authorized and directed to apportion the amount of the license tax imposed in this subsection (a) in respect of any common carrier of passengers operating a fleet of two or more motor vehicles under the authority of the Interstate Commerce Commission so that the amount of the license tax imposed in this subsection (a) for any tax year shall bear the same relation to, and constitute the same proportion of, the total amount of all similar license taxes paid by the said common carrier in all states for the same tax year that the total number of miles operated by the fleet of the said common carrier in Alabama during the then preceding tax year bears to the total number of miles operated by such fleet in all states during the said preceding tax year; and provided, further, that the Commissioner of Revenue of Alabama is hereby authorized to promulgate such reasonable rules and regulations as may be necessary to effectuate such apportionment.

(b) Each person desiring to take out a license to operate a motor vehicle for the transportation of passengers for hire, except taxicabs and touring cars hired by the hour or for special trips on terms agreed upon between the passenger and the carrier at the time of entering upon such service, shall at the time he applies for such license make out in writing a statement describing the route over which such motor vehicle shall be operated and naming the terminal points thereof, and such route shall be plainly indicated on the motor vehicle in letters of sufficient size to be read at a distance of fifty feet.

(c) For each motor vehicle operated on public highways in this state as a part of a taxicab system, or similar system, the following annual license taxes or registration fees are hereby imposed and shall be charged:

For each vehicle weighing not exceeding 2,500 pounds, \$21.00;

For each vehicle weighing more than 2,500 pounds, but not exceeding 3,000 pounds, \$27.00;

For each vehicle weighing more than 3,000 pounds, but not exceeding 3,500 pounds, \$30.00;

For each vehicle weighing over 3,500 pounds, but not exceeding 4,000 pounds, \$36.00; and

For each vehicle weighing in excess of 4,000 pounds, \$40.00.

(d) For each motor bus operated on public highways in this state which is owned by a church, private school, hospital or other eleemosynary institution and used only for the purposes of such institution, regardless of whether any compensation may be charged to any passenger, a license tax or registration fee of \$13.00 is hereby imposed and shall be charged.

Section 4. Section 696 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 696 shall read as follows:

Section 696. For each ambulance and automobile hearse operated on the public highways in this state, the following annual license taxes and registration fees are hereby imposed and shall be charged: In each municipality of less than 10,000 inhabitants, and in all unincorporated territory, \$15.00; in each municipality of 10,000 to 40,000 inhabitants, \$25.00; in each municipality of 40,001 inhabitants to 100,000 inhabitants, \$35.00; and in each municipality of more than 100,000 inhabitants, \$55.00. Automobile hearses and ambulances shall carry symbol tags.

Section 5. Section 697 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 697 shall read as follows:

Section 697. For each truck and for each truck tractor, operated on the public highways of this state, the following annual license taxes and registration fees, based on the gross vehicle weight of such motor truck or motor tractor, are hereby imposed and shall be charged:

For each truck or truck tractor
having the following gross weight
in pounds:

Amount of License Tax

0 to 6,000 pounds	\$ 13.00
6,001 to 12,000 pounds	\$ 35.00
12,001 to 18,000 pounds	50.00
18,001 to 24,000 pounds	65.00
24,001 to 30,000 pounds	220.00
30,001 to 36,000 pounds	270.00
36,001 to 42,000 pounds	325.00
42,001 pounds and over	475.00

Provided, that the rates hereinabove specified shall be limited, in the case of vehicles used by a farmer solely for transporting farm products or the personal property of a farmer for his use on the farm to a maximum amount of \$35.00, where the gross vehicle weight of the vehicle

does not exceed 24,000 pounds. Provided, further, that the rates hereinabove specified shall be limited, in the case of trucks used by a farmer solely for transporting farm products or the personal property of the farmer for his use on the farm and trucks used for transporting forest products, to a maximum of \$35.00 where the gross vehicle weight of the truck does not exceed 24,000 pounds and to a maximum of \$65.00 where the gross weight of the truck does not exceed 30,000 pounds.

For the purposes of this section, gross vehicle weight shall mean the empty weight of the truck or truck tractor and, in the case of combinations, the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error allowable under any other provision of law shall be deemed applicable to the provisions of this section. Every person making application for a license to use a truck or truck tractor on the public highways of this state shall be required to make an affidavit declaring the gross vehicle weight of such truck or truck tractor and file the said affidavit with the judge of probate, or other county licensing officer, in the county in which the said application is made. Upon payment of the applicable motor vehicle license tax or registration fee, the license to use the said truck or truck tractor on the public highways of this state shall be deemed limited to the gross vehicle weight so declared by the owner, which shall be deemed to constitute the allowable gross vehicle weight for which the said vehicle is licensed.

After having obtained a license hereunder with respect to any truck or truck tractor, the owner thereof may during the then current tax year voluntarily increase the allowable gross weight for which his vehicle is licensed by making a new affidavit, applying for a new license applicable to the appropriate gross vehicle weight classification, surrendering the license plates or tags previously obtained, and paying the difference between the fees applicable to a license for the higher weight classification desired and the fee in respect of the license so surrendered. The license classification of a truck or truck tractor may not be decreased, however, except once a year at the time new license tags or plates are purchased for such truck or truck tractor. If upon inspection, the gross vehicle weight of any truck or truck tractor licensed hereunder is found to weigh more than is permitted by the license plates which it carries (regardless of whether such weight is below the legal maximum permitted for other than licensing purposes), the owner of such truck or truck tractor shall be required immediately to pay the fee applicable to the gross vehicle weight disclosed by the said inspection, shall be allowed no credit for the surrendered underrated license plates or tags, and shall be subject to the penalty prescribed by law for using a motor vehicle with an improper license.

Any truck or truck tractor, either new or used, that may be acquired or brought into this state during the first quarter of a tax year, or that may be operated in this state during such period, shall pay the full annual license tax or fee specified herein. Any truck or truck tractor that may be acquired or brought into this state in any subsequent quarter of the tax year (and that shall not theretofore have become subject to license hereunder by virtue of operation on the highways of this state in any then preceding quarter of the tax year) shall be licensed on a quarterly declining basis, and the amount of the license tax or fee shall be an amount equal to one-fourth of the applicable license tax or fee multiplied by the number of quarter years intervening between the date such truck or truck tractor is acquired or brought into the state and the first day of the then succeeding tax year; provided, that for purposes of computing the amount of the license tax or fee on a quarterly declining basis, any part or fraction of a quarter year shall be counted as a full quarter year and any amount less than ten cents shall

be figured to the nearest ten cents above the fraction thereof, and in no event shall the cost of the license be less than \$3.25. The division of the tax year into quarters, as herein provided, shall be on the basis of calendar months of the entire tax year.

Section 6. Section 703 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 703 shall read as follows:

Section 703. For each trailer (other than house trailers) and each semitrailer operated on the public highways of this state, the following annual license taxes and registration fees are hereby imposed and shall be charged:

(a) For each privately owned utility trailer, which is not operated for hire, lease or rental, \$3.00;

(b) For each utility trailer, rented or leased for compensation of any kind or nature, \$8.00;

(c) For each truck trailer or semitrailer, \$15.00; and

(d) For each trailer of any kind other than housetrailers and other than those trailers referred to in the foregoing clauses (a), (b), and (c), of this section, \$15.00;

provided, however, that any trailer or semitrailer used by a farmer exclusively for transporting farm products to and from market or for transporting the personal property of a farmer for his use on the farm shall not be subject to the license taxes and registration fees provided for in this section. Trailers of any kind or description for hauling passengers for hire are prohibited by law and shall not be licensed under this article.

Housetrailers, which are excluded from the foregoing provisions of this section, are subject, however, to the registration fee provided for in Act No. 44 adopted at the 1961 Special Session of the Legislature, as amended, and to the other provisions of the said Act No. 44, as amended.

Section 7. Section 712 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 712 shall read as follows:

Section 712. On or before the tenth day of each month, the judge of probate must disburse all money received by him during the then preceding month in respect of motor vehicle licenses and registration fees as follows:

(a) Two and one-half per cent of the total money so collected shall be retained by the judge of probate as compensation for collecting such money; but no such compensation shall be allowed with respect to any money not remitted pursuant to clauses (b) and (c) of this section at the time when such remittances are provided in this section to be made;

(b) Five per cent of all money so collected must be remitted to the state treasurer; and

(c) The residue of the money so collected shall be remitted as provided in Section 713 of this title;

provided, however, that the judge of probate shall have an additional period of ten days within which to make remittances of amounts collected by him during the months of October, November, and December and remittances with respect to collections during any of those months shall be made on or prior to the twentieth day of the then next suc-

ceeding month. At the time that each monthly remittance is made as herein provided, the judge of probate shall forward to the comptroller and to the department of revenue each a certified list of all motor vehicle licenses issued by the judge of probate during the then preceding month, stating therein the amount collected for each license tag, the number of the tag, the motor number of the vehicle or vehicle identification number in lieu of the motor number, the serial number of the vehicle, the name and address of its owner, and the date of the issuance of said tag; provided, however, that in all counties having over 600,000 population according to the last or any subsequent federal census the date of the issuance of the tag shall not be included in the certified list of all motor vehicle licenses issued. If no such licenses shall have been issued during any month by the judge of probate, he shall report that fact to the said comptroller and to the said department on or prior to the tenth day of the then next succeeding month. If any judge of probate fails to comply with the provisions of this section within five days after the date on which he is required to make any report or remittance hereunder, the comptroller shall forthwith report such failure to the Governor, who shall cite such judge of probate to show cause why he has not made report of the list of motor vehicle licenses and paid over the amount collected by him as required by law, and if such judge of probate fails to show sufficient cause for such failure, the Governor shall direct the attorney general to institute impeachment proceedings against him before the supreme court.

Section 8. Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 713 shall read as follows:

Section 713. The moneys collected each month by the judge of probate from motor vehicle license taxes and registration fees, after deducting therefrom the amounts referred to in clauses (a) and (b) of Section 712 of this title (the moneys remaining after making the said deductions being referred to in this section as "the net proceeds") shall be distributed by the judge of probate as follows:

(a) Seventy-two percent of the net proceeds shall be distributed to the State of Alabama and shall be remitted by the judge of probate to the State Treasurer;

(b) Twenty-one percent of the net proceeds shall be remitted by the judge of probate (1) to the municipality in which the owner of the motor vehicle resides or with respect to which it is registered as required by law, or (2) if the said owner does not reside in, or the motor vehicle is not required by law to be registered with respect to, an incorporated municipality, then to the county in which the license tax or registration fee with respect to the said motor vehicle is paid; and

(c) Seven percent of the net proceeds shall be remitted by the judge of probate to the State Treasurer and shall be apportioned by the State Treasurer and distributed by him as follows:

(1) Seventy percent of the said seven percent shall be divided equally among and remitted to the several counties of the state, and the governing body of each county shall apportion the moneys so remitted to it among the several municipalities therein and the said county itself so that the amount paid to each such municipality and to the county shall bear the same relation to, and constitute the same proportion of, the total amount remitted to the said county that the total number of motor vehicles registered during the then preceding tax year with respect to each such municipality and with respect to the unincorporated portion of the county bears to the total number of motor vehicles registered in the entire county during the said then preceding tax year; and

(2) Thirty percent of the said seven percent shall be apportioned among and remitted to the several counties of the state in an amount for each county that bears the same relation to, and constitutes the same proportion of, the total of the said thirty percent that the total number of motor vehicles registered in each county bears to the total number of motor vehicles registered in the entire state; and the moneys so remitted to each county shall be divided among the county and the municipalities therein on the same basis as provided in the foregoing subparagraph (1) of this paragraph (c).

Payments of the amounts herein provided to be remitted to counties shall be made quarterly by state warrant to be mailed to the county treasurer (or other officer or entity having the functions of a county treasurer) of each county; and each such county treasurer (or other officer or entity as aforesaid) shall, forthwith upon receipt of such moneys from the State Treasurer, make the remittances to the municipalities in the said county hereinabove provided for.

The amounts remitted to the State Treasurer pursuant to clause (a) of the said Section 712 and all moneys provided in this section to be distributed to the State of Alabama shall be covered into the treasury to the public road and bridge fund and disbursed as follows: (1) The amounts appropriated by the legislature, out of the motor vehicle license taxes and registration fees, for payment of expenses of the department of revenue in the collection of the said taxes and fees, including salaries, cost of tags, and other costs of collection, shall be paid out of the portion of the said taxes and fees that is remitted to the State Treasurer pursuant to clause (a) of the said Section 712; (2) so much of the net proceeds distributed to the State of Alabama pursuant to the provisions of this section as shall be necessary for such purpose shall be used to pay at their respective maturities the principal of and interest on bonds issued after March 1, 1967, by Alabama Highway Authority, a public corporation created and existing under Act No. 43 adopted at the First Special Session of 1955 of the Legislature; and (3) the balance of the moneys referred to in clauses (1) and (2) of this paragraph remaining after compliance with the said clauses (1) and (2), respectively, shall be used by the state highway department for construction and maintenance of public roads and bridges in the state and for any other purpose for which moneys in the public road and bridge fund may be lawfully used.

All moneys received by a municipality or county under this section shall be used by such municipality or county exclusively for the construction, improvement and maintenance of public highways or public streets, including administrative expenses in connection therewith and retirement of securities evidencing obligations incurred for payment of costs of such construction, improvement and maintenance.

Section 9. The following shall be and hereby are repealed: (a) Sections 698, 699, and 700 of Title 51 of the Code of Alabama of 1940; (b) Act No. 315 adopted at the 1951 Regular Session of the Legislature and relating to licenses and registration fees on automobiles designed and used primarily for private passenger purposes and motorcycles; (c) Act No. 775 adopted at the 1953 Regular Session of the Legislature, relating to licenses and registration fees on motor trucks of the type known as "pick-up" or "pick-up trucks" having three-fourths ton capacity or less and constituting the only mode or method of transportation owned by its owner or available for use in his household; (d) Act No. 672 adopted at the 1961 Regular Session of the Legislature, as amended; and (e) all other laws or portions thereof in conflict with the provisions of this act. This act shall not be deemed to repeal or modify any of the following statutes: Section 101 of Title 35 of the Code of Alabama of 1940; Act No. 359 adopted at the 1951 Regular Session of

the Legislature; Act No. 765 adopted at the 1953 Regular Session of the Legislature; Act No. 308 adopted at the 1955 Regular Session of the Legislature, as amended; Act No. 68 adopted at the 1959 Second Special Session of the Legislature; Act No. 576 adopted at the 1963 Regular Session of the Legislature; and Acts Nos. 74 and 116 adopted at the 1965 Second Special Session of the Legislature; and each of the statutes referred to in this sentence shall remain in full force and effect.

Section 10. It is the intention of the Legislature by the enactment of this act to raise revenue and to appropriate funds to pay the principal of and interest on bonds that may be issued by the Alabama Highway Authority, a public corporation existing under the laws of this state, for the purpose of constructing highways and bridges, to raise revenue and appropriate funds for other highway and bridge purposes and to raise revenue and appropriate funds to provide a program for road and street purposes of the counties and municipalities of this state.

Section 11. This act shall become effective October 1, 1967.

MOTION TO ADJOURN LOST

At 7:05 P. M., Mr. O'Bannon moved that the Senate adjourn until Friday, April 28, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 11; Nays 20.

Yeas:

Messrs.:	Dominick	McDermott	Pierce
Branyon	Goodwyn	Nabors	Radney
Carr	Harris	O'Bannon	Torbert

—11

Nays:

Messrs.:	Giles	Leonard	Oden
Childs	Gilmore	Lindsey	Pelham
Clark	Givhan	Lolley	Skidmore
Cooper	Hawkins	McCarley	Stone
Engel	Jackson	Morrow	Turner
Folsom			

—20

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

MOTION TO ADJOURN LOST

At 8:07 P. M., Mr. Cooper moved that the Senate adjourn until Friday, April 28, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 2; Nays 15.

Yeas:

Messrs.:	Goodwyn	Torbert
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—2

Nays:

Messrs.:	Folsom	Jackson	Morrow
Childs	Giles	Leonard	O'Bannon
Cooper	Gilmore	Lolley	Stone
Engel	Givhan	McCarley	Turner

—15

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

MOTION TO ADJOURN LOST

At 9:35 P. M., Mr. Turner moved that the Senate adjourn until Friday, April 28, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 13; Nays 18.

Yeas:

Messrs.:	Dominick	McDermott	Oden	
Albea	Engel	Nabors	Pierce	
Bailes	Goodwyn	O'Bannon	Radney	
Branyon	Harris			—13

Nays:

Messrs.:	Giles	Leonard	Skidmore	
Childs	Gilmore	Lindsey	Torbert	
Clark	Givhan	Lolley	Turner	
Cooper	Hawkins	McCarley	Vacca	
Folsom	Jackson	Pelham		—18

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

ADJOURNMENT

At 11:32 P. M., Mr. Cooper moved that the Senate adjourn until Friday, April 28, 1967, at 12:01 A. M. Mr. Nabors moved as a substitute motion that the Senate adjourn until Friday, April 28, at 10 o'clock A. M., which motion was lost.

Yeas 8; Nays 18.

Yeas:

Messrs.:	Engel	Harris	Nabors	
Bailes	Goodwyn	McDermott	Pelham	
Dominick				—8

Nays:

Messrs.:	Folsom	Jackson	Morrow	
Branyon	Giles	Leonard	Torbert	
Childs	Gilmore	Lindsey	Turner	
Clark	Givhan	Lolley	Vacca	
Cooper	Hawkins	McCarley		—18

The question recurred on the motion of Mr. Cooper, and at 11:35 P. M., pending further consideration of the Bill, H. B. 219, the Senate adjourned until Friday, April 28, 1967, at 12:01 A. M.

THIRTIETH LEGISLATIVE DAY

FRIDAY, APRIL 28, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by Honorable Ollie W. Nabors, Senator from the Eighth Senatorial District.

ROLL CALL

Present:

Messrs.:	Giles	Lolley	Oden
Bailes	Gilmore	McCarley	Pelham
Childs	Hawkins	McDermott	Skidmore
Clark	Jackson	Morrow	Turner
Cooper	Leonard	Nabors	Vacca
Folsom	Lindsey		

—21

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JOHN HAWKINS, JR.,
Vice-Chairman.

COMMITTEE REPORT

On motion of Mr. Hawkins, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Ninth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Adams for today.

UNFINISHED BUSINESS

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

as amended by the Committee substitute.

The question was on the substitute offered by Mr. Cooper, which said substitute is set out at length in the Journal of the Senate for the Twenty-Ninth Legislative Day.

MOTION TO RECESS LOST

At 12:10 A. M., Mr. Cooper moved that the Senate take a recess until 10 o'clock this morning, which motion was lost.

Yeas 0; Nays 20.

Yeas: —0

Nays:

Messrs.:	Giles	Lindsey	Oden
Childs	Gilmore	Lolley	Pelham
Clark	Hawkins	McCarley	Skidmore
Cooper	Jackson	McDermott	Turner
Engel	Leonard	Morrow	Vacca
Folsom			

—20

FURTHER CONSIDERATION OF H. B. 219

Mr. Bailes moved that the Senate reconsider the vote by which the amendment offered by Mr. Nabors to the Bill, H. B. 219, as amended, was laid on the table on the Twenty-Ninth Legislative Day. On motion of Mr. Clark, the motion to reconsider was laid on the table.

Yeas 20; Nays 5.

Yeas:

Messrs.:	Giles	Lindsey	Oden
Childs	Gilmore	Lolley	Pelham
Clark	Hawkins	McCarley	Skidmore
Cooper	Jackson	McDermott	Turner
Engel	Leonard	Morrow	Vacca
Folsom			

—20

Nays:

Messrs.:	Dominick	Harris	Nabors
Bailes	Goodwyn		

—5

The question then recurred on the substitute offered by Mr. Cooper for the Bill, H. B. 219, as amended.

MOTION TO RECESS LOST

At 1:18 A. M., Mr. Cooper moved that the Senate take a recess until 10 o'clock today, which motion was lost.

Yeas 5; Nays 20.

Yeas:

Messrs.:	Dominick	Harris	Nabors	
Bailes	Goodwyn			—5

Nays:

Messrs.:	Giles	Lindsey	Pelham	
Childs	Gilmore	Lolley	Skidmore	
Clark	Givhan	McCarley	Torbert	
Cooper	Jackson	Morrow	Turner	
Engel	Leonard	Oden	Vacca	
Folsom				—20

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

MOTION TO RECESS LOST

At 3:30 A. M., Mr. Cooper moved that the Senate take a recess until 10 o'clock A. M., which motion was lost.

Yeas 2; Nays 18.

Yeas:

Messrs.:	Nabors	Pelham	
			—2

Nays:

Messrs.:	Folsom	Jackson	Morrow	
Childs	Giles	Leonard	Oden	
Clark	Gilmore	Lindsey	Skidmore	
Cooper	Givhan	Lolley	Vacca	
Engel	Hawkins	McCarley		—18

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

MOTION TO RECESS LOST

At 4:35 A. M., Mr. Bailes moved that the Senate take a recess until 10 o'clock A. M., which motion was lost.

Yeas 2; Nays 13.

<i>Yeas:</i>	Messrs. Harris, Pelham	
		—2

Nays:

Messrs.:	Engel	Givhan	Leonard	
Childs	Folsom	Hawkins	Lolley	
Clark	Giles	Jackson	McCarley	
Cooper	Gilmore			—13

(A quorum was present but not voting.)

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

RECESS

At 5:40 A. M., on motion of Mr. Hawkins, pending further consideration of the Bill, H. B. 219, the Senate took a recess until 8:30 A. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

ROLL CALL

Present:

Messrs.:	Dominick	Leonard	O'Bannon
Albea	Folsom	Lindsey	Pierce
Branyon	Giles	Lolley	Skidmore
Carr	Gilmore	McCarley	Stone
Childs	Givhan	McDermott	Torbert
Clark	Harris	Morrow	Turner
Cooper	Hawkins	Nabors	Vacca

—27

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 24. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 207. Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the probate judge, judge of the county court, tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Mr. Turner offered the following Senate Resolution, to-wit:

SENATE RESOLUTION 56

BE IT RESOLVED BY THE SENATE OF ALABAMA, that at 5 P. M. on this legislative day it stand in adjournment until 10 A. M., Monday, May 1, 1967.

Which was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

At 9:42 A. M., Mr. Turner moved that the Senate adjourn until Monday, May 1, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 8; Nays 19.

Yeas:

Messrs.:
Albea
Carr

Clark
Dominick

Harris
Nabors

O'Bannon
Pierce

Nays:

Messrs.:	Giles	Lindsey	Skidmore
Branyon	Gilmore	Lolley	Stone
Childs	Givhan	McCarley	Torbert
Cooper	Hawkins	McDermott	Turner
Folsom	Leonard	Morrow	Vacca

—19

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 121. To apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties.

Also:

H. 137. To apply only in Mobile County, providing for service of jury summonses by mail.

Also:

H. 119. Relating to Dallas County; fixing the fee for issuance of a pistol permit by the sheriff, providing for the disposition and use of such fees, and repealing conflicting laws.

Also:

H. 139. To alter, rearrange, and extend the boundaries of the City of Saraland, Alabama, so as to include within the corporate limits thereof certain additional territory located in the Southwest Quarter of Section 9, Township 3 South, Range 1 West, Mobile County, Alabama.

Also:

H. 141. To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000.

Also:

H. 143. Relating to the Sixth Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Also:

H. 150. To provide assistants for the sheriff of Elmore County and for payment of their compensation by the county.

Also:

H. 154. Relating to the powers of cities having populations of not less than 100,000 and not more than 200,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

H. 165. To authorize the governing bodies of counties having a population of not less than 36,600 and not more than 37,600 according to the 1960 Federal Census to appropriate funds from the General Fund of said counties for the purpose of employing clerical help.

Also:

H. 161. To amend Section 10 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Also:

H. 62. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Woodland in Randolph County, Alabama.

Also:

H. 71. To amend further Code of Alabama 1940, Title 30, Section 54, in relation to struck juries.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 46. Urging Alabamians to plant family gardens to assist the economy of our Nation and its individuals.

Also:

H. J. R. 47. Commending the Honorable Richard (Dick) Beard, Commissioner of Agriculture and Industries, for his cooperation with the Public Administration Service and the Legislature of Alabama.

Also:

H. J. R. 49. Congratulating University of Alabama Football Coach Paul "Bear" Bryant upon his being named Citizen of The Year by the Alabama Broadcaster's Association.

Also:

H. J. R. 50. Encouraging the participation of all Alabamians in "Lurleen Wallace Day" in Tuscaloosa.

Also:

H. J. R. 51. Inviting Her Excellency, Governor Lurleen B. Wallace, to address a joint session of the Legislature on Thursday, March 30.

Also:

H. J. R. 53. Expressing appreciation to Dr. J. O. Finney, of Gadsden, Alabama, for his dedicated and outstanding service to humanity and the medical profession.

Also:

H. J. R. 54. Expressing regret upon the death of former State Senator Oliver E. Young of Vernon.

Also:

H. J. R. 55. Congratulating Sports Editor Charles Land, of the Tuscaloosa News, and Mr. Stan Siegal, Sports Editor of Radio Station WTBC, upon being named Alabama's most outstanding sportswriter and sportscaster.

Also:

H. J. R. 52. Designating the new gymnasium at Enterprise Junior College "Ray Lolley Gymnasium" in honor of Senator Ray Lolley.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 1. To authorize the Board of Revenue or like governing body of Autauga County to levy a privilege or license tax on persons, firms and corporations, selling, distributing, or delivering any malt or brewed beverages to retailers in Autauga County; to authorize the Board of Revenue or like governing body of Autauga County to collect the tax, and to authorize the Board of Revenue to make rules and regulations to govern enforcement and collection of the tax.

Also:

H. 117. To apply only in counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for the appointment, equipment, training, and compensation of deputies, aides and assistants of the sheriff of such counties.

Also:

H. J. R. 21. Expressing confidence in Alabama education officials regarding a controversy concerning certain textbooks.

Also:

H. J. R. 48. Requesting full cooperation with any Congressional investigating committee seeking to show illegal practices engaged in by the Department of Health, Education and Welfare.

Also:

H. J. R. 60. Requesting the Department of Defense to establish an adequate and permanent National Cemetery System.

Also:

H. J. R. 61. Relative to the Legislature convening as a committee to conduct public hearings regarding public education in Alabama.

Also:

H. J. R. 62. Commending Attorney General MacDonald Gallion for inviting the Attorneys General of certain States to the State of Alabama.

Also:

H. J. R. 63. Relative to granting an extension of time to the Joint Interim Committee created pursuant to Senate Joint Resolution 3.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. 185. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the Counties composing such Judicial Circuits.

Also:

H. 198. Relating to Walker County; to authorize the county governing body of such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, as amended.

Also:

H. 203. To provide for an expense allowance for the District Attorney of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 80,000 or more than 120,000 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuits.

Also:

H. 181. Providing expense allowances for members of the governing bodies of counties having populations of not less than 14,300 nor more than 14,600.

Also:

H. 55. To apply only in counties having populations of not less than 300,000 nor more than 500,000; providing for sales of duplicate copies of certain microfilmed records, and giving the Act limited retroactive effect.

Also:

H. J. R. 65. Relative to naming Senate Joint Resolution No. 10.

Also:

H. 179. To propose and provide for the submission of an amendment to the Constitution of Alabama clarifying and making further provisions regarding the public school purposes for which certain special school taxes in the school district of Anniston, Alabama, may be applied, the said special school taxes having been heretofore voted under, and levied by, that certain amendment to the said Constitution proposed by Act No. 587 adopted at the 1947 Regular Session of the Legislature and that certain amendment to the said Constitution proposed by Act No. 72 adopted at the 1965 Regular Session of the Legislature; and validating the special elections heretofore held in the said school district under the said amendments proposed by the said Acts Nos. 587 and 72.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 72. Relating to the public schools of Walker County; providing that all utility bills incurred by such schools shall be paid by the county board of education and prohibiting contributions from public subscriptions or sales of merchandise toward the payment of such bills; providing that

this act shall not affect any matured rights, liabilities and duties or penalties incurred or proceedings begun prior to the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 80. Relative to adjournment.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MOTION TO ADJOURN LOST

At 10:52 A. M., Mr. Folsom moved that the Senate adjourn until Saturday, April 29, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 4; Nays 26.

Yeas:

Messrs.:	Clark	Dominick	Turner	
Albea				—4

Nays:

Messrs.:	Folsom	Lindsey	Pelham	
Bailes	Giles	Lolley	Pierce	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Harris	McDermott	Stone	
Childs	Hawkins	Morrow	Torbert	
Cooper	Jackson	Nabors	Vacca	
Engel	Leonard	O'Bannon		—26

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

MOTION TO ADJOURN LOST

At 12 o'clock Noon, Mr. Turner moved that the Senate adjourn until Monday, May 1, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 3; Nays 24.

Yeas:

Messrs.:	Albea	Jackson	Morrow	—3
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Nays:

Messrs.:	Giles	Leonard	Oden	
Bailes	Gilmore	Lindsey	Pierce	
Childs	Givhan	Lolley	Skidmore	
Cooper	Goodwyn	McCarley	Stone	
Dominick	Harris	Nabors	Torbert	
Engel	Hawkins	O'Bannon	Turner	
Folsom				—24

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

And said bill, as thus amended by the report of the Committee of Conference was again read at length and passed.

And said bill, together with the Report of the Committee of Conference is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE OF CONFERENCE ON S. B. NO. 23

We, the undersigned members of the Conference Committee on Senate Bill 23, beg leave to report that we have considered the bill and

we do hereby recommend to the House and Senate the attached substitute for Senate Bill 23.

Conferees on the part of the Senate

JACK GILES

O. J. GOODWYN

FRED C. FOLSOM

Conferees on the part of the House

HARRY L. PENNINGTON

L. D. OWEN, JR.

TOM DRAKE

A BILL
TO BE ENTITLED
AN ACT

To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

Be It Enacted by the Legislature of Alabama:

Section 1. All expenditure of funds of whatever nature for labor, services, or work, or for the purchase or lease of materials, equipment, supplies, or other personal property, involving five hundred dollars (\$500.00) or more, made by or on behalf of any state trade school, state junior college, state college or university under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions, except as hereinafter provided, shall be made under contractual agreement entered into by free and open competitive bidding, on sealed bids, to the lowest responsible bidder; provided, however, that in the event a bid is received for an item of personal property to be purchased or contracted for from a person, firm or corporation, deemed to be a responsible bidder, having a place of business within the county, where the awarding authority is the county or an instrumentality thereof, or within the municipality, where the municipality or an instrumentality thereof is the awarding authority, which such bid is no more than 3% greater than the bid of the lowest responsible bidder, the awarding authority may award the contract to such resident responsible bidder. In the event only one bidder responds to the invitation to bid, the awarding authority may reject the bid and negotiate the purchase or contract, provided the negotiated price is lower than the bid price.

Section 2. Competitive bids shall not be required for utility services where no competition exists or where rates are fixed by law or ordinance; to the purchase of insurance; to the purchase of ballots and supplies for conducting any primary, general, special or municipal election; to contracts for the securing of services of attorneys, physicians,

architects, teachers, superintendents of construction, artists, appraisers, engineers, consultants, certified public accountants, public accountants, or other individuals possessing a high degree of professional skill where the personality of the individual plays a decisive part; contracts of employment in the regular civil service; to purchases of products made or manufactured by the blind or visually handicapped under the direction or supervision of the Alabama Institute for Deaf and Blind in accordance with Act No. 542, approved September 9, 1955; to purchases of maps or photographs purchased from any federal agency; to purchases of manuscripts, books, maps, pamphlets or periodicals; to the selection of paying agents and trustees for any security issued by a public body; to contractual services and purchases of commodities for which there is only one vendor or supplier; to contractual services and purchases of personal property, which by their very nature are impossible of award by competitive bidding, nor shall this act apply to any purchases of products where the price of such products are already regulated and established by state law, nor to purchases made by individual schools of the county or municipal public school system from monies other than those raised by taxation or received through appropriations from state or county sources, nor to purchases for public hospitals and nursing homes operated by the governing boards of instrumentalities of the state, counties and municipalities. The said state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state shall establish and maintain such purchasing facilities and procedures as may be necessary to carry out the intent and purpose of this act by complying with the requirements for competitive bidding in the operation and management of each such state trade school, state junior college, state college or university under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions. Contracts entered into in violation of this act shall be void.

Section 3. No member or officer of the said state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions, shall be financially interested, or have any personal beneficial interest, either directly or indirectly in the purchase of or contract of any personal property or contractual service. Nor shall any person wilfully make any purchase or award any contract in violation of the provisions of this act. Any violation of this section shall be deemed a misdemeanor, and any person who violates this section shall, upon conviction, be imprisoned for not more than twelve (12) months or fined not more than five hundred dollars (\$500.00) or both. Upon conviction thereof, any person who wilfully makes any purchase or awards any contract in violation of the provisions of this act, shall be removed from office.

Section 4. Any agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid at a fixed price or to refrain from bidding, or otherwise, shall render the bids of such bidders void and shall cause such bidders to be disqualified

from submitting further bids to the awarding authority on future purchases. Whoever knowingly participates in a collusive agreement in violation of this section shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars (\$500.00) and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six (6) months.

Section 5. Any disclosure in advance of the terms of a bid submitted in response to an advertisement for bids shall render the proceedings void and require advertisement and award anew.

Section 6. All proposed purchases in excess of five hundred dollars (\$500.00) shall be advertised by posting notice thereof on a bulletin board maintained outside the purchasing office and in any other manner and for such lengths of time as may be determined, provided, however, that sealed bids shall also be solicited by sending notice by mail to all persons, firms, or corporations who have filed a request in writing that they be listed for solicitation on bids for such particular items as are set forth in such request. If any person, firm, or corporation whose name is listed fails to respond to any solicitation for bids, after the receipt of three such solicitations, such listing may be cancelled. All bids shall be sealed when received, shall be opened in public at the hour stated in the notice, and all original bids together with all documents pertaining to the award of the contract shall be retained and made a part of a permanent file or records, and shall be open to public inspection. If the purchase or contract will involve an amount of five hundred dollars (\$500.00) or less, the purchases or contracts may be made upon the basis of sealed bids or in the open market. No purchase or contract involving an amount in excess of five hundred dollars (\$500.00) shall be divided into parts involving amounts of five hundred dollars (\$500.00) or less for the purpose of avoiding the requirements of this act. All such partial contracts involving five hundred dollars (\$500.00) or less shall be void.

Section 7. In case of emergency affecting public health, safety, or convenience, so declared in writing by the awarding authority, setting forth the nature of the danger to public health, safety, or convenience involved in delay, contracts may be let to the extent necessary to meet the emergency without public advertisement. Such action and the reasons therefor shall immediately be made public by the awarding authority.

Section 8. Bond in a responsible sum for faithful performance of the contract, with adequate surety, may be required in an amount specified in the advertisement for bids.

Section 9. When purchases are required to be made through competitive bidding, awards shall be made to the lowest responsible bidder taking into consideration the qualities of the commodities proposed to be supplied, their conformity with specifications, the purposes for which required, the terms of delivery, transportation charges, and the dates of delivery. The awarding authority in the purchase of or contract for personal property or contractual services shall give preference, provided there is no sacrifice or loss in price or quality, to commodities produced in Alabama or sold by Alabama persons, firms, or corporations. The awarding authority or requisitioning agency shall have the right to reject any bid if the price is deemed excessive or quality of product inferior. Each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after award of the order or contract, be open to public inspection. Contracts for the purchase of personal property or contractual services shall be let for periods not greater than one year.

Section 10. Any taxpayer of the area within the jurisdiction of the awarding authority, and any bona fide unsuccessful bidder on a parti-

cular contract shall be empowered to bring a suit in equity in the appropriate court to enjoin execution of any contract entered into in violation of the provisions of this act.

Section 11. No contract awarded to the lowest responsible bidder shall be assignable by the successful bidder without written consent of the awarding authority. And in no event shall a contract be assigned to an unsuccessful bidder whose bid was rejected because he was not a responsible bidder.

Section 12. This act shall be cumulative in its nature; however, all conflicting provisions of law are hereby expressly repealed.

Section 13. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. This act shall become effective on the first day of the second month next following its passage and approval by the Governor or its otherwise becoming a law.

HOUSE AND CONFERENCE MESSAGE

Mr. Goodwyn moved that the Senate concur in and adopt the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill, S. B. 23, the title of which and said Conference Report are set out in the foregoing Message from the House.

Mr. Bailes moved as a substitute motion that the Senate non-concur in the Report of the Committee on Conference, discharge the Conference Committee and appoint a new Conference Committee. On motion of Mr. Goodwyn, the motion of Mr. Bailes was laid on the table.

Yeas 28; Nays 3.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham
Branyon	Givhan	Lolley	Pierce
Childs	Goodwyn	McCarley	Radney
Clark	Harris	McDermott	Stone
Cooper	Hawkins	Morrow	Torbert
Engel	Jackson	Nabors	Turner
Folsom	Leonard	O'Bannon	Vacca
Giles			

—28

Nays: Messrs. Bailes, Carr, Dominick

—3

The question then recurred on the motion of Mr. Goodwyn, which was adopted, and the Senate did concur in and adopt the Report of the Committee on Conference.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Pelham
Bailes	Giles	Lindsey	Pierce
Branyon	Gilmore	Lolley	Radney
Carr	Givhan	McCarley	Stone
Childs	Goodwyn	McDermott	Torbert
Cooper	Harris	Morrow	Turner
Dominick	Hawkins	Nabors	Vacca
Engel	Jackson	O'Bannon	

—30

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 7. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to exempt from the authority, jurisdiction or power of any state agency, commission, department or instrumentality to control or regulate, a foreign corporation which transacts only a portion of its business in this state and locates its principal administrative office, principal distribution or manufacturing plant or principal place of business in this state, with respect to that portion of its business transacted or property located without this state and the securities or obligations of such foreign corporation; and for other purposes.

Also:

H. 8. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to provide for the allocation of tax obligation on real or personal property between the transferor and a foreign corporation transferee of property sold to, acquired by or transferred to such foreign corporation in connection with locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business or in connection with becoming the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state; and for other purposes.

Also:

H. 12. To promote and encourage industry and business in the State of Alabama and to induce the location within this state of the principal administrative office, principal distribution or manufacturing plant or principal place of business by foreign corporations; to amend section 339, Title 51, Code of Alabama 1940, relating to qualification of a foreign corporation to engage in or transact business in this state, to provide that the maximum amount of qualification fee or admission tax shall not exceed five hundred dollars for each foreign corporation which files with the department of revenue the required statement together with certified copies of resolutions by its board of directors locating within this state its principal administrative office, principal distribution or manufacturing plant or principal place of business and thereafter actually locates such office, plant or place of business within this state within one year from the date of such filing, or authorizing it to become the successor or assignee of all or a substantial portion of the taxable property within this state of any foreign or domestic corporation theretofore qualified or admitted to engage in or transact business in this state and thereafter actually becomes such successor or assignee within one year from the date of such filing; and for other purposes.

Also:

H. 23. To amend Act No. 101, H. 112, Special Session 1966, an act regulating and providing for the payment of the compensation of certain deputies of the sheriff of Lawrence County.

Also:

H. 31. To require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Also:

H. 65. To make a further and additional appropriation of \$44,000 to the Department of Adult Blind of the Alabama Institute for Deaf and Blind.

Also:

H. 108. To make an additional appropriation to the Alabama State Milk Control Board.

Also:

H. 110. To make an additional appropriation to the Board of Chiropractic Examiners.

Also:

H. 118. To create the position of Assistant Director in the Department of Public Safety; to provide for his appointment and removal, duties, responsibilities and salary; and to provide for the effective date of this act.

Also:

H. 146. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601), as amended which act provides for absentee voting in primary, general, special and municipal elections, so as to permit certain spouses of certain students to vote in such elections.

Also:

H. 148. To make an appropriation to the Governor's Committee on the Status of Women.

Also:

H. 156. To provide for equalization of taxation of state and national banks and to repeal inconsistent laws or parts of laws.

Also:

H. 163. To provide a special law enforcement fund for the use of the sheriff of Blount County, increasing and further regulating the fee for a license to carry a pistol.

Also:

H. 167. To amend Act No. 243, H. 278, 1st Special Session of 1964, an act applying to the City of Mobile and establishing a pension and relief system for members of the city police and fire departments.

Also:

H. 169. Further regulating the conduct of elections; to prohibit the secretary of state from certifying as candidates in a general election and the judges of probate from causing to be printed on the ballots for a general election the names of persons who do not file declarations of in-

tention to become candidates in such election stating the political party with which they are affiliated or in case they are not affiliated with any party, then that they shall be independent candidates in such election in the manner and within the time herein prescribed.

Also:

H. 208. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Also:

H. 209. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and providing for the compensation of the members of the Board of Equalization in such counties.

Also:

H. 214. To provide clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county other than the county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides has a population of not less than 16,150 nor more than 17,250.

Also:

H. 54. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Also:

H. 6. To alter, rearrange and extend the boundary lines and corporate limits of the town of West Blocton in Bibb County, Alabama.

Also:

H. 3. Authorizing the Director of Conservation to expend from any refunded Bureau of Outdoor Recreation monies a sum not exceeding fifty thousand dollars (\$50,000.00) for the purpose of additional construction and equipping of a public fishing pier at Gulf State Park; and to further authorize the Director of Conservation to transfer said monies not exceeding fifty thousand dollars (\$50,000.00) to the State Building Commission for such construction and equipping purposes.

Also:

H. 109. To authorize any municipality that is a member of a gas district that has, during any one calendar year, paid to at least one-half of its member municipalities license taxes (including interest and penalties) in an aggregate amount, in the case of each such municipality, at least equal to two per cent (2%) of the gross receipts from business done by such district in such municipality in the eight calendar years next preceding the calendar year during which such taxes were paid, to levy and collect, for the calendar year next succeeding that during which such aggregate taxes were paid, a privilege license tax from such gas district not exceeding an amount specified; and to provide that no such municipality may levy or collect any such license tax if it has theretofore collected from such district, during said eight-year period, rentals aggregating as much as two per cent (2%) of the gross receipts from business done by such district in such municipality during such eight calendar year period, or if the amount of taxes (including interest and penalties) paid to it by such district for such eight calendar year period equals or exceeds two per cent (2%) of the gross receipts from business done by such district in such municipality in such eight calendar year period.

Also:

H. 174. Authorizing the court of county commissioners, board of revenue, or other like governing body of Randolph County to appropriate county funds for the relief of Olin McDaniel.

Also:

H. 67. To amend further Code of Alabama Title 29, Section 4, in relation to the qualifications of the administrator of the Alabama alcoholic beverage control board.

Also:

H. 15. To apply only in counties having populations of not less than 76,000 nor more than 96,000, abolishing the office of clerk of the jury commission, providing that the circuit court clerk shall perform the duties of clerk of the jury commission, fixing the compensation of the circuit court clerk for performance of such additional duties, and authorizing the county to provide for employment of additional clerical help by the circuit clerk to assist him in the performance of such duties.

Also:

H. 228. To apply only in counties having populations of not less than 52,000 nor more than 56,000; fixing the compensation of the secretary of the district attorney of any such county.

Also:

H. 213. To apply only in counties having populations of not less than 76,000 nor more than 96,000; authorizing the governing body of any such county to appropriate county funds for the relief of persons damaged by county employees or county equipment.

Also:

H. 26. To amend further Act No. 152, H. 60, Regular Session 1945, an act providing for a legislative council.

Also:

H. 153. Relating to costs and fees in criminal cases, providing for assessment of counsel fees as court costs in certain cases.

Also:

H. 205. To provide for the relief of M. Benenson of Atmore, from the treasury of Escambia County.

Also:

H. 222. To apply only in counties having populations of not less than 16,150 nor more than 17,350; providing expense allowances for clerks of the circuit courts of such counties.

Also:

H. 186. To amend Act No. 63, H. 25, Special Session 1955 (Acts 1955, p. 94), an act to provide for the appointment and compensation of deputy circuit solicitors in the Sixteenth Judicial Circuit, so as to regulate further the compensation of such officers; repealing conflicting laws, including subsection (e) of Section 2 of Act No. 176, H. 255, Special Session 1966 (Acts 1966, p. 208) which fixes the compensation of such officers.

Also:

H. 206. To apply only in counties having populations of not less than 76,000 nor more than 96,000; providing expense allowances for registers of the circuit courts of such counties.

Also:

H. 14. To provide for the appointment of a deputy district attorney for the Seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Also:

H. 189. To amend further Act No. 16, H. 120, approved May 20, 1943, which authorized the tax assessor and tax collector of Russell County, Alabama, each to appoint a deputy and provided for the payment of the compensation of such deputies (Local Acts of 1943, p. 9).

Also:

H. 190. To amend further Act No. 74, H. 378, approved May 28, 1943, entitled "An Act to authorize and empower the judge of probate of Russell County, Alabama, to appoint a chief clerk, and to fix the salary and provide the method of payment of the salary of said chief clerk" (Local Acts of 1943, p. 40).

Also:

H. 191. Relating to Russell County; authorizing and providing for the appointment of an additional deputy clerk by the circuit clerk of Russell County, whenever such circuit clerk also serves as register in chancery of such county and for the payment of such additional deputy clerk's salary by the county.

Also:

H. 192. Relating to Russell County; authorizing the probate judge to employ an additional clerk, who shall be compensated out of county funds.

Also:

H. 193. To amend further Act No. 75, H. 379, approved May 28, 1943, which provided for the appointment of a deputy circuit clerk of the circuit court of Russell County, Alabama, and provided for the payment of his compensation (Local Acts of 1943, p. 41).

Also:

H. 194. Relating to Russell County; to provide for the payment of an expense allowance to the coroner of such county.

Also:

H. 195. To fix the supplemental salaries of official court reporters of the twenty-sixth judicial circuit and to provide payment thereof from the county funds of Russell County.

Also:

H. 196. Relating to Russell County; to provide for the appointment of an additional clerk by the tax assessor and for the payment of his compensation by the county.

Also:

H. 197. To provide for compensation of jurors in Russell County.

Also:

H. 58. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$4,000,000 for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 83. Relative to commending the Cahaba Regional Library.

Also:

H. J. R. 84. Recognizing April 24-29 as Alabama Industrial Days.

Also:

H. J. R. 86. Mourning the death of Colonel William Shelton Pritchard.

Also:

H. J. R. 87. Taking cordial note of the recognition and honor paid to Mr. Roderick Beddow on Roderick Beddow Night.

Also:

H. J. R. 85. Mourning the death of Mr. Andrew J. Lewis of Birmingham, Alabama.

Also:

H. J. R. 82. Expressing regret upon the death of Mr. Guy W. Smith, outstanding educator in Alabama.

Also:

H. J. R. 72. Commending Mr. Arthur Keeney for his action condemning one Stokely Carmichael.

Also:

H. J. R. 79. Mourning the death of Mayor Hollis Jackson of Clanton, Alabama.

Also:

H. J. R. 56. Relative to condemning the activities of Mr. Harold Howe, Commissioner of Education, in connection with the school systems of Alabama.

Also:

H. J. R. 57. Designating the library building at Alexander City State Junior College the Thomas D. Russell Library.

Also:

H. J. R. 69. Recommending the continuation and preservation of the 31st Division, making up the National Guard of Alabama.

Also:

H. J. R. 70. Commending the students of Auburn University for setting a world record in the donation of blood for use of American soldiers in Vietnam.

Also:

H. J. R. 73. Congratulating Auburn University upon the top rating won by its student newspaper, The Auburn Plainsman.

Also:

H. J. R. 78. Naming Act No. 40, S. J. R. 27.

Also:

H. J. R. 81. Commending and welcoming to Alabama Mr. Edward M. Lindsey, of Lawrenceburg, Tennessee, President of Lions International.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 188. Relating to Russell County; creating a juvenile court; providing for the powers, duties, functions and jurisdiction of the court; providing for the selection, term of office, duties and compensation of certain officers for the court.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 233. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

Also:

H. 200. To alter, rearrange and extend the boundary lines and corporate limits of the City of Gadsden in Etowah County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

MOTION TO ADJOURN LOST

At 4:51 P. M., Mr. Radney moved that the Senate adjourn until Monday, May 1, 1967, at 10 o'clock A. M., which motion was lost.

Yeas 11; Nays 20.

Yeas:

Messrs.:	Dominick	Jackson	O'Bannon
Albea	Gilmore	Lindsey	Pierce
Bailes	Hawkins	Morrow	Radney

—11

Nays:

Messrs.:	Engel	Harris	Nabors
Branyon	Folsom	Leonard	Pelham
Carr	Giles	Lolley	Skidmore
Childs	Givhan	McCarley	Torbert
Clark	Goodwyn	McDermott	Turner
Cooper			

—20

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

RECESS

At 5:10 P. M., on motion of Mr. Cooper, the Senate took a recess until 5:30 P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Brewer.

A quorum of the Senate was present.

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the substitute offered by Mr. Cooper.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate

Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 11 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. J. R. 28 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. J. R. 29 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. J. R. 32 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. J. R. 33 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. J. R. 35 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. J. R. 36 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. J. R. 37 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. J. R. 38 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. B. 34 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. B. 35 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. B. 40 Delivered to the Governor April 28, 1967, at 10:35 A. M.
 S. J. R. 40 Delivered to the Governor April 28, 1967, at 10:35 A. M.

McDOWELL LEE,
 Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 6 o'clock P. M., Mr. Cooper moved that the Senate adjourn until Monday, May 1, 1967, at 10 o'clock A. M. Mr. Goodwyn moved as a substitute motion that the Senate adjourn until Saturday, April 29, at 10 o'clock A. M., which motion was lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Folsom	McDermott	Skidmore	
Albea	Goodwyn	Pelham	Torbert	
Clark	Harris	Pierce	Turner	
Engel	McCarley	Radney		—14

Nays:

Messrs.:	Cooper	Hawkins	Morrow	
Bailes	Dominick	Jackson	O'Bannon	
Branyon	Giles	Leonard	Oden	
Carr	Gilmore	Lindsey	Stone	
Childs	Givhan	Lolley	Vacca	—19

Mr. Cooper then moved as a substitute motion for his original motion that the Senate adjourn until Monday, May 1, 1967, at 8 o'clock A. M., which was adopted, and at 6:30 P. M., pending further consideration of the Bill, H. B. 219, the Senate adjourned until Monday, May 1, 1967, at 8 o'clock A. M.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Dominick	Givhan	Morrow	
Branyon	Engel	Jackson	Oden	
Carr	Folsom	Leonard	Stone	
Childs	Giles	Lindsey	Vacca	
Cooper	Gilmore	Lolley		—18

Nays:

Messrs.:	Goodwyn	McDermott	Radney	
Albea	Harris	O'Bannon	Skidmore	
Bailes	Hawkins	Pelham	Torbert	
Clark	McCarley	Pierce	Turner	—15

THIRTY-FIRST LEGISLATIVE DAY

MONDAY, MAY 1, 1967

The Senate met pursuant to adjournment, Lieutenant Governor Brewer presiding.

PRAYER

The Session was opened with prayer by the Reverend J. Eade Anderson, Minister, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Branyon	Gilmore	McCarley	Skidmore	
Carr	Givhan	McDermott	Stone	
Childs	Goodwyn	Morrow	Torbert	
Clark	Harris	Nabors	Turner	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jackson	Oden		—34

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirtieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Thirtieth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Mr. Adams for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 49. To provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; and to repeal inconsistent laws.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Pennington, Smith (C) and Owen.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Senate acceded to the request of the House for a Committee on Conference to reconcile the differences of the two Houses on the Senate amendment to the Bill, H. B. 49, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Morrow, Clark and Lindsey.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

H. J. R. 91. WHEREAS Mr. J. Ernest Rice, prominent retired Birmingham businessman, and a member of families long influential in the development of this State, passed away on April 25, 1966 after having spent a lifetime of useful service to his community, friends and family. Mr. Rice was for many years instrumental in furthering every endeavor for the betterment of his city and was an inspiration to all who knew him; and

WHEREAS Mr. Rice is survived by his widow, Mrs. Ruth Thomas Rice of Birmingham and a daughter, Mrs. Pete B. Turnham of Auburn, wife of our beloved and esteemed colleague Representative Turnham; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the death of Mr. Rice, and extend our heartfelt sympathy to Mrs. Rice and to Mrs. Turnham, to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Morrow, the Rules were suspended and the Resolution, H. J. R. 91, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

SUPREME COURT OPINION

In accordance with the request under the provisions of S. R. 46, the Supreme Court rendered the following opinion relative to H. B. 152, to-wit:

Opinion of the Justices of the Supreme Court in answer to questions propounded by the Senate of the Legislature of Alabama, under Section 34, Title 13, Code of Alabama 1940.

SENATE RESOLUTION NO. 46

By: Vacca

RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, are respectfully requested to give this body their written opinions concerning the following important constitutional questions which have arisen in reference to the pending bill, H. B. 152 as substituted by the House, a true copy of which is attached hereto and incorporated herein by reference:

1. Does this bill propose a local law within the meaning of Article 4, Section 110 of the Constitution of Alabama?
2. Does this bill propose a local law violative of Article 4, Section 105 of the Constitution?
3. Are the provisions of Section 4 of the bill violative of Article 6, Section 158 of the Constitution?
4. Do the provisions of the bill provide for an unconstitutional delegation of judicial power?

RESOLVED FURTHER, That the Secretary of the Senate is directed to send forthwith to the Clerk of the Supreme Court of Alabama four true copies of this Resolution.

SUBSTITUTE FOR H. B. 152

A BILL TO BE ENTITLED AN ACT

To further regulate the Probate Court and Office of the Judge of Probate in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide for and create the office of Assistant Judge of Probate of such Probate Court and Office of Judge of Probate; to authorize and empower the Judge of Probate of such counties to delegate duties and authority to such offi-

cer, and to prescribe further the authority, power and duties of such office, and to further provide for such office and the duties, authority and compensation for such office.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Probate Courts and to the Office of Judge of Probate in all counties having a population of 600,000 or more, according to the last or any subsequent decennial federal census. There shall be an Assistant Judge of Probate in each said county, who shall be learned in the law, over the age of twenty-five years and a resident of the county for one year or more next preceding the date of taking office, who shall be appointed by the Judge of Probate from a list of three eligibles selected and submitted to him as follows: If there is in such county a Judicial Commission pursuant to law or any amendment to the Constitution of Alabama to select eligibles for appointment to vacancies in the office of Circuit Judge in such county, the Judicial Commission shall accept applications and submit the names of the three best qualified persons to the Judge of Probate, in the same manner as the Judicial Commission would select eligibles for appointment to a Circuit Judge vacancy. If there is no such Judicial Commission in such county, or if such Judicial Commission fails to act, then a committee composed of three members—(1) one of whom shall be a circuit judge of such county appointed by the presiding judge of the circuit court of such county, (2) one shall be a practicing lawyer experienced in probate court matters in such county to be appointed by the president of the Bar Association having the largest membership in such county, and (3) one shall be a non-member of the Bar Association appointed by the County Commission or other county governing body—shall receive applications and certify the three deemed best qualified for such office. Vacancies shall be filled in like manner. The members of such Judicial Commission or other committee shall serve without compensation for such services.

Section 2. Under the general authority, supervision and direction of the Judge of Probate, such Assistant Judge shall be the chief administrative officer of such probate court, and further shall have the following authority and powers:

1. All of the powers, authority and responsibilities now vested or which may hereafter be vested by law in the chief clerk of such court, and specifically all powers, duties, authority and responsibilities provided in Chapter 5 of Title 13 Code of Alabama of 1941 (sic) as recomplied by 1958 Code, for the chief clerk.

2. All authority, powers, duties and responsibilities of the clerk-and-register of any such probate court, as provided in Act No. 558 of the Regular Session of 1959 of the Legislature of Alabama.

3. To serve as master and hold references in matters involving contested claims and ascertainties of condemnation awards, and make written report of the findings.

4. To appoint administrators ad litem and appoint notaries public and to appoint legal representatives for receiptants (sic) of public assistance funds, when such duties and authority is vested in the judge of probate.

5. To hear and determine petitions for adoptions, change of names, legitimations, annexation and other municipal elections, and applications for commitment of mental patients, where there is no contest.

6. To do all other acts and things and perform all other duties, where there is no contest, that the judge of probate could do and perform.

All of the official acts of such Assistant Judge of Probate must be performed in the name of the Judge of Probate, except as otherwise authorized by law. The assistant judge of probate may be appointed to serve as special judge of probate in accordance with such authority as is now provided by Section 310 of Title 13, Code of Alabama.

Section 3. Such Assistant Judge of Probate, before he enters upon his duties, must take the oath directed to be taken by the officers of this state, and give bond, with surety, in the manner and as required of the chief clerk of the probate court under the same conditions and penalties as are provided in Section 301 of Title 13, Code of Alabama of 1940, as amended, by 1958 Recompiled Code, and other provisions of law applicable to such office in such county, the costs and expenses of which shall be paid for as costs of the official bonds for other county officers in such county are paid.

Section 4. The Assistant Judge of Probate shall be a county officer, and shall serve under the provisions of laws applicable to such office, and he shall be entitled to the same benefits as other county officers are entitled. He shall be subject to the same liabilities, penalties and responsibilities for his acts as are provided by law for or on the Judge of Probate. The Assistant Judge (or Associate Judge) shall hold office for the term of the judge appointing him, but subject to removal by the Judge for cause by order to be entered at length on the minutes of the court. The beginning salary for the first named Assistant Probate Judge shall be a sum not less than \$15,000.00 nor more than \$16,500.00 per year, to be fixed and approved by the County Commission or other County Governing body, and such salary shall be paid and increased or lowered as other county officers salaries are increased or lowered, and paid.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid, such declaration shall not affect the part which remains. This Act is cumulative.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Senate of Alabama
State Capitol
Montgomery, Alabama

Dear Sirs:

We are in receipt of Senate Resolution No. 46, wherein the Justices of this Court are requested to give their opinion as to whether the substitute for House Bill No. 152 violates certain designated sections of the Constitution of Alabama 1901.

Question 1. Does this bill propose a local law within the meaning of Article 4, Section 110, of the Constitution of Alabama?

Section 110, *supra*, reads:

"A general law within the meaning of this article is a law which applies to the whole state; a local law is a law which applies to any political subdivision or subdivisions of the state less than the whole; a special or private law within the meaning of this article is one which applies to an individual, association, or corporation."

In passing upon the validity of the Act, this Court will indulge all presumptions and intendments in favor of its constitutionality, and will not assume that the population classification was arbitrarily fixed, but

rather was fairly arrived at for the purpose of meeting conditions in larger and more populous counties.

As well stated in *Wages v. State*, 225 Ala. 2, 141 So. 707:

"This court has long committed itself, in line with the holdings of other courts, to the proposition that population classification, made the basis for enactments, would be sustained in cases where there is a substantial difference in population, and the classification is made in good faith, reasonably related to the purpose to be effected and to the difference in population which forms the basis thereof, and not merely arbitrarily. Acts passed as general laws, based upon such population classification, and meeting the above test, are valid in that respect, although at the time of their enactment they can and do only apply to one county or city in the state. *State v. Gullatt*, 210 Ala. 452, 98 So. 373; *Board of Revenue of Jefferson County et al v. Huey*, 195 Ala. 83, 70 So. 744; *State ex rel. Gunter et al. v. Thompson et al.*, 193 Ala. 561, 69 So. 461; *State ex rel. Mims v. Bugg et al.*, 196 Ala. 400, 71 So. 699."

This same principle has been enunciated in several other cases. See *Dearborn v. Johnson*, 234 Ala. 84, 173 So. 864; *Opinion of the Justices*, 249 Ala. 511, 31 So. 2d 721; *Opinion of the Justices*, 263 Ala. 174, 81 So. 2d 699.

It is our opinion that Question No. 1 should be answered "No."

Question No. 2. Does this bill propose a local law violative of Article 4, Section 105 of the Constitution?

Section 105 reads:

"No special, private, or local law, except a law fixing the time of holding courts, shall be enacted in any case which is provided for by a general law, or when the relief sought can be given by any court of this state; and the courts, and not the legislature, shall judge as to whether the matter of said law is provided for by a general law, and as to whether the relief sought can be given by any court; nor shall the legislature indirectly enact any such special, private, or local law by the partial repeal of a general law."

It being our conclusion that the substitute bill now being considered is a bill general in nature, what we have written under Question No. 1, would also be applicable to Question No. 2, and our answer to Question No. 2 is in the negative.

Question No. 3 was apparently framed in reference to Section 4 of House Bill 152, as originally introduced, and not in reference to Section 4 of the present substitute bill.

In an Advisory Opinion given by the Justices of this Court to the House of Representatives on March 2, 1967, in reference to the provisions of House Bill 152, we concluded that the provisions of House Bill 152 were violative of Sections 158 and 152 of our Constitution, in that the provisions of said House Bill 152, conferring judicial powers on the Assistant Probate Judge, was in effect the appointment of a Probate Judge. However, the substitute bill now being considered confers no judicial powers on the Assistant Judge of Probate, and the constitutional objections to the original House Bill 152 are not present in the substitute bill, inasmuch as only administrative and ministerial duties of a chief clerk are conferred by the substitute bill.

Our answer to Question 3 is therefore in the negative.

Question No. 4. Do the provisions of the bill provide for an unconstitutional delegation of judicial power?

The powers conferred upon the Assistant Judge of Probate under the substitute bill are set forth in Section 2 of said substitute bill in six subsections.

Section 2(1) of the substitute bill specifies that he shall have the powers of a chief clerk "as provided in Chapter 5 of Title 13, Code of Alabama, 1941 (sic) as recompiled in 1958 Code."

The remaining subsections confer upon the Assistant Judge of Probate powers which are administrative or ministerial, and not judicial, powers already granted to a chief clerk of a Probate Judge under existing statutes. While Subsection 6 of Section 2 of the substitute bill provides that the Assistant Judge shall have the authority "to do all other acts and things and perform all other duties that the Judge of Probate could do and perform" such provision is specifically limited to those cases where there is no contest. Thus such acts performed by the Assistant Judge of Probate under Section 2(6) of the bill, where there is no contest, are rendered by this limitation ministerial or administrative in nature, and are not judicial. There is no delegation of judicial power under the provisions of the substitute bill. While the bill designates the official to be appointed under the bill "Assistant Judge of Probate" a reading of the bill discloses that in truth and in fact the appointed official is clothed only with administrative or ministerial powers.

Our answer to Question No. 4 is in the negative.

We wish to point out that insofar as Section 2, Subsection 6, empowers the Assistant Probate Judge "to do all other acts and things and perform all other duties, where there is no contest, that the judge of probate could do and perform" does not confer any judicial powers on the Assistant Probate Judge, such as rendering judgments and making and entering judicial orders.

Respectfully submitted,

J. Ed Livingston, Chief Justice
Thomas S. Lawson, Associate Justice
Robert T. Simpson, Associate Justice
John L. Goodwyn, Associate Justice
Pelham J. Merrill, Associate Justice
James S. Coleman, Jr., Associate Justice
Robert B. Harwood, Associate Justice

In Opinion of the Justices (1959), 269 Ala. 127, 111 So. 2d 605, the feeling was expressed that "no more advisory opinions should be issued by the members of this Court when the only questions, constitutional or otherwise, involve purely local matters." There, the request was from the Governor and the act under consideration was a local act relating to a school tax in Cleburne County. It may be that the limiting statement was intended to apply to strictly local bills and acts. However, it is my feeling that the same policy should apply where a bill or act, in practical effect, is purely local.

The statute providing for advisory opinions by the Justices of the Supreme Court (Code 1940, Tit. 13, § 34) calls for opinions "on important constitutional questions." This statute was first before the Justices in In Re Opinions of the Justices (1923), 209 Ala. 593, 594, 96 So. 487, where it was said:

"Interpreting the act according to its manifest effects, these conclusions must, of necessity, prevail: * * * (c) that specific inquiries, within the intent of the act, must involve or concern concrete, important constitutional questions upon matters or subjects of a general public nature, * * * ."

My feeling is that general bills and acts of local application, such as the one before us (substitute for House Bill 152), do not come within the purview of the act as so interpreted, and that no more advisory opinions should be issued with respect to them. The normal workload of this court, involving adversary proceedings, is such that the Justices should not be called upon to render merely advisory opinions upon matters or subjects which are not of a general public nature.

JOHN L. GOODWYN,
Associate Justice.

I, Louise L. Holt, Asst Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appears of record in said Court.

Witness my hand this 1 day of May, 1967.

LOUISE L. HOLT,
Assistant Clerk, Supreme Court of Alabama.

OPINION RENDERED

The foregoing opinion rendered by the Supreme Court of Alabama was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Cherner, Culver, Bank, Brown, House, Lybrand, Mathews, Adwell, Agee, Bassett, Beck, Berryman (R), Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Burgess, Burgreen, Cameron, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Fite, Foshee, Gafford, Garrett, Gloor, Graham, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Hogan, Holladay, Holman, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Malone, Manley, Marr, Mays, McCorquodale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Merrill, Money, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Sessions, Shumate, Slate, Smith (C), Smith (P), Snell, Snodgrass, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Wright, Yeilding and Young:

H. J. R. 89. WHEREAS, the people of the State of Alabama are grieved by the sad news of the death of Representative Hugh Rowe Thomas on Tuesday, April 25, 1967; and

WHEREAS, during his tenure in the Legislature of Alabama, all too short though it was, Hugh Thomas established in the hearts and minds of his colleagues a position of unquestioned aggressiveness, devotion to duty and integrity; and

WHEREAS, this young businessman and civic leader, having already identified himself in the eyes of his home area of Tuscaloosa County as a most worthy and capable citizen, came to the 1967 Legislature with unique and commendable drive and determination to improve his State's government and to make Alabama a better State; and

WHEREAS, Hugh Thomas did learn the legislative processes of the State of Alabama with unparalleled speed, developed a remarkable insight into the issues of government, and displayed skillful ability to communicate his ideals and ambitions to his associates; and,

WHEREAS, Hugh Thomas was an ardent and able advocate of the plans, policies, and programs of the University of Alabama, as well as its staff and faculty, which he dearly loved; and

WHEREAS, the thought and prayers of the people of Alabama were with the family of Hugh Rowe Thomas at his untimely passing, and they sympathize deeply with his family for their great loss; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That this body expresses its deepest sorrow and extends its sincerest sympathy to his widow, Mrs. Gloria Thomas, his children, Hugh Thomas, Jr. and Lee Frances Thomas, his mother, Mrs. Frank Thomas, and all members of his family.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mrs. Gloria Thomas and Mrs. Frank Thomas and Family.

RESOLVED ALSO, That the Clerk of the House shall set aside a page in the House Journal of this session in loving memory of our departed colleague.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 89, set out in the foregoing Message from the House, was unanimously adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 21. To authorize the governing body of any county or municipality to appropriate public funds and to use certain equipment and employees in aid of certain projects undertaken in any other contiguous county, or the home county of said governing body.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 39. Relative to creating a joint interim committee on agriculture.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Headley:

H. 230. To provide for closing county offices in Chilton County on Saturdays.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CHILTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for closing county offices in Chilton County on Saturdays.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue and control or other like county governing body of Chilton County may, by resolution, authorize the offices of the officials of Chilton County located in the county courthouse and other county buildings to be closed all day on Saturday of each week. If such resolution is adopted, notice thereof shall be posted at the courthouse door and shall be published otherwise in such manner as the county governing body may direct.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner & Editor of the CHILTON COUNTY NEWS, a newspaper of general circulation published in CHILTON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 16th March 67, 23rd of March 67, 30th Of March 67, and 7th of April, all in the year 1967.

BOB TUCKER.

Sworn to and subscribed before me 4-11, 1967.

PLUMA B. MUNCY,
Notary Public.

Also:

By Mr. Fine:

H. 237. To provide a clerk hire allowance for the Judge of Probate of all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Also:

By Mr. Fine:

H. 238. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

By Mr. Fine:

H. 239. Relating to counties having a population of not less than 13,700 nor more than 14,300 according to the most recent federal decennial census; to provide additional clerk hire allowances for the Tax Assessors and Tax Collectors.

Also:

By Mr. Fine:

H. 240. Relating to counties having a population of not less than 13,700 nor more than 14,300; fixing the compensation of the coroner.

Also:

By Messrs. Shumate and Dobbs:

H. 243. Relating to all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, authorizing the sheriff to issue permits for the movement of certain sized houses and objects along county roads, through municipalities and across state roads under certain conditions.

Also:

By Messrs. Dobbs and Shumate:

H. 241. Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; providing an expense allowance for the county comptroller serving as county treasurer.

Be It Enacted by the Legislature of Alabama:

Section (1) The county comptroller or treasurer of Walker County shall be entitled to six hundred dollars (\$600) per annum for expenses incurred in the operation of this office, payable monthly out of the general funds of the county in equal monthly installments.

Section (2) This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: March 20, 1967 March 27, 1967 April 3, 1967 April 10, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 10 day of April, 1967.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Shumate and Dobbs:

H. 242. Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama to authorize a hospital tax in District Two of Walker County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

Proposed Amendment

"In addition to any taxes now authorized or that may be hereafter authorized by the Constitution and laws of Alabama, the governing body of Walker County shall levy and cause to be collected annually a special district tax, not exceeding 50 cents on each 100 dollars assessed valuation of taxable property in District Two of Walker County, Alabama, to be used exclusively for public hospital purposes (as the term 'public hospital purposes' is defined in Amendment LXXVI to the Constitution proposed by Acts of 1949, Page 897, submitted December 13, 1949, and proclaimed ratified December 21, 1949) within said District Two; provided that the time during which such tax is to continue and the purpose thereof shall have been first submitted to a vote of the qualified electors in District Two of Walker County and voted for by a majority of such electors voting at such election. The governing body of Walker County may call an election at any time, and it shall be the duty of such governing body to call an election to be held within ninety days after receipt by it of a petition signed by not less than 5% of the qualified electors of said District Two, requesting that such election be called. The governing body may call such election to be held at the same time that this amendment is submitted to the electors of the State for ratification and such election shall be effective to require the levy and collection of such tax in the event that this amendment shall be ratified. The notice of such election, ballots to be used at such election and procedures for holding and determining the results of such election shall be prescribed by the governing body of Walker County. No election shall be held hereunder within one year from the date of the last election so held.

"Whenever such tax shall have been authorized by vote of such qualified electors, and levied by the governing body of Walker County, such governing body may anticipate the proceeds therefrom for any one or more of the purposes for which the tax shall have been voted, by issuing, without further election, interest bearing tax anticipation bonds, warrants, or certificates of indebtedness of said county payable solely from and secured by a pledge of a sufficient amount of the annual proceeds from said tax received by the county.

"The governing body of Walker County shall have power to designate as the agency of the county, to construct, acquire, equip, operate and maintain public hospital facilities for said District Two, any public corporation heretofore or hereafter organized for hospital purposes in the county. When a public corporation shall have been so designated, the proceeds of said tax thereafter collected shall be paid to it and shall be used by it for any one or more of the purposes for which the tax shall have been voted; provided, that payments of the proceeds of said tax to said public corporation shall be made only to such extent as will not result in the impairment of the obligation of any contract theretofore made with respect to said tax. Said public corporation may anticipate the proceeds from said tax so required to be paid to it by issuing, for any one or more of the purposes for which the tax shall have been voted, the bonds, warrants, or certificates of indebtedness of said corporation, and may pledge for the payment of the principal thereof and interest thereon a sufficient amount of the annual proceeds from said tax so paid to it.

"No securities issued or contracts made by Walker County under the authority of this amendment, which are payable solely out of the proceeds of said tax, and no securities issued or contracts made by any such public corporation, whether or not issued or made under the authority of this amendment, shall be construed to be bonds of Walker County or of a political subdivision thereof within the meaning of Section 222 of the Constitution, or construed to create or constitute an indebtedness of the county within the meaning of Section 224 of the Constitution. Said securities shall be construed to be negotiable instruments notwithstanding the fact that they may be payable solely from a limited source. All pledges of said tax and all contracts made with respect thereto pursuant to the provisions of this amendment shall take precedence in the order in which they are made and shall create a charge on the proceeds of said tax prior to the expenses of operating and maintaining any public hospital facilities.

"District Two of Walker County herein referred to is the commissioner's District Two now established in Walker County as authorized by law."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjourn- of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940, as amended.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspapers is published, a copy of the notice shall be posted at each courthouse and post office.

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons, Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Name-ly: March 20, 1967 March 27, 1967 April 3, 1967 April 10, 1967

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 10 day of April, 1967.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Perloff, Hobbie, Smith (C), Marr, Collins (W), Harris, Melton, Cameron, McElhaney and Meade:

H. 231. To exempt ambulance service contracts from regulation as insurance.

Also:

By Mr. Drake:

H. 184. To amend further Act No. 672, S. 99, Regular Session 1965, an act providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 230, 237, 238, 239, 240, 243, 241 and 242. To the Committee on Local Legislation No. 1.

H. B. 231. To the Committee on Seaports.

H. B. 184. To the Committee on Agriculture.

(The above numbered Bill, H. B. 242, was read at length as required by the Constitution.)

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

H. J. R. 77. Creating a joint legislative commission to study a general revision of the Constitution of Alabama.

The Rules Committee reported the following amendment to the Resolution, H. J. R. 77, to-wit:

AMENDMENT TO H. J. R. 77

Amend H. J. R. 77 by striking the last paragraph therefrom.

Which was adopted.

And said Resolution, H. J. R. 77, as thus amended, was then concurred in and adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 234. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:
Bailes
Branyon

Carr
Childs
Clark

Cooper
Dominick
Folsom

Givhan
Goodwyn
Harris

Hawkins	Morrow	Radney	Torbert	
Jackson	Nabors	Skidmore	Turner	
McCarley	O'Bannon	Stone	Vacca	
McDermott	Oden			—25

Nays: —0

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

as amended by the Committee substitute.

The question was on the substitute offered by Mr. Cooper, which said substitute is set out at length in the Journal of the Senate for the Twenty-Ninth Legislative Day.

Mr. McDermott offered the following amendment to the Cooper substitute for the Bill, H. B. 219, as amended, to-wit:

AMENDMENT TO THE SUBSTITUTE FOR H. B. 219, AS AMENDED

Amend Section 2 of H. B. 219 as substituted so that said Section 2 shall read as follows:

Section 2. Section 693 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 693 shall read as follows:

Section 693. The following annual license taxes and registration fees are hereby imposed, and shall be charged, on each private passenger automobile operated on the public highways of this state and on each motor cycle operated on the said public highways:

- (a) For each private passenger automobile \$8.00
- (b) For each motorcycle 7.00

No private passenger automobile and no motorcycle shall be used on any public highway in the state unless the proper license tag therefor has been procured and is securely attached to the rear end thereof, such tag to be so attached right side up with the number thereof in an upright position and plainly visible.

The purchaser of any motor vehicle requiring a tag shall have four days from the date of its acquisition within which to procure the required tag.

MOTION TO RECESS LOST

At 9:30 A. M., Mr. McDermott moved that the Senate take a recess until 12 o'clock Noon, which motion was lost.

Yeas 8; Nays 23.

Yeas:

Messrs.:	Clark	McDermott	Skidmore
Branyon	Lindsey	O'Bannon	Turner
Carr			

—8

Nays:

Messrs.:	Engel	Harris	Morrow
Albea	Folsom	Hawkins	Nabors
Bailes	Giles	Jackson	Oden
Childs	Gilmore	Leonard	Radney
Cooper	Givhan	Lolley	Stone
Dominick	Goodwyn	McCarley	Vacca

—23

BILLS ON THIRD READING RESUMED

The Bill:

H. 225. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jakie Wayton \$704.00; and Tom Williams \$850.00.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Folsom	Leonard	Oden
Albea	Giles	Lindsey	Pelham
Bailes	Gilmore	Lolley	Skidmore
Carr	Goodwyn	McCarley	Stone
Childs	Harris	Morrow	Torbert
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson		

—25

Nays:

—0

The Bill:

H. 78. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws.

Was read a third time at length and passed.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Folsom	Leonard	O'Bannon
Albea	Giles	Lindsey	Oden
Bailes	Gilmore	Lolley	Pierce
Branyon	Givhan	McCarley	Radney
Carr	Goodwyn	McDermott	Skidmore
Clark	Harris	Morrow	Stone
Dominick	Jackson	Nabors	Vacca
Engel			

—28

Nays:

Messrs.:

Cooper

Hawkins

—2

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the amendment offered by Mr. McDermott to the Cooper substitute for the Bill, H. B. 219, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Beck and Meade:

H. 229. To provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 229. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 117. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, camp sites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet, trap, rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, auditoriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and launderettes provided, however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or

restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporation; to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 207. Relating to certain county officers in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing expense allowances for the probate judge, judge of the county court, tax assessor, tax collector, sheriff and circuit clerk; repealing conflicting laws and specifically repealing conflicting provisions of Section 2 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 97. To provide that persons employed in an administrative or clerical capacity by the Alabama High School Athletic Association may become members of the Teachers' Retirement System of Alabama.

Also:

H. 24. Relating to the government of Lawrence County; abolishing the Board of Revenue of Lawrence County created by Act No. 18, S. 2, approved May 18, 1951, and establishing in lieu thereof the court of county commissioners; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners, and for the qualifications, manner of election, and compensation of its members; regulating the county purchasing procedures; proscribing certain uses of county property; and prescribing penalties.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 23. To provide for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of the state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing bodies, and the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill and Senate Joint Resolution with the original Senate Bill and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. 21. To authorize the governing body of any county or municipality to appropriate public funds and to use certain equipment and employees in aid of certain projects undertaken in any other contiguous county, or the home county of said governing body.

Also:

S. J. R. 39. Creating a joint interim committee on agriculture.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

FURTHER CONSIDERATION OF H. B. 219

The Senate proceeded to further consideration of the Bill, H. B. 219, as amended. The question was on the amendment offered by Mr. McDermott to the Cooper substitute for the Bill, H. B. 219, as amended.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 117. To authorize the incorporation with respect to the several municipalities in this state, of non-profit public corporations for the purpose of acquiring, enlarging, expanding, owning, operating, leasing and disposing of properties to the end that such corporation may be able to promote public interests and participation in sports, athletics and recreational activities and to provide and improve public parks in this state, including all buildings, facilities and improvements incident thereto or useful in connection therewith, including but without limitation, picnic areas, camp sites, trailer sites, cabins, lodges, roads and trails for hiking, bicycling or horseback riding, nature trails, botanical gardens, zoos, museums, athletic fields, golf courses, tennis and badminton courts, bowling alleys, skeet, trap, rifle and archery ranges, swimming pools, bathhouses, beaches, docks and marinas, boating facilities, areas and facilities for fishing and hunting, areas and facilities for aquatic entertainment and sports, stadiums, coliseums, arenas, grandstands, audi-

toriums, meeting halls, pavilions, centers for cultural entertainment, music, drama, exhibitions and exhibits, amphitheatres, administrative or office buildings and buildings, facilities and improvements for the accommodation of visitors to such public parks, including but without limitation, motels, restaurants, coffee shops, stores to provide groceries, drugs and other items, sports, gifts, souvenir shops and launderettes provided however, that such corporations shall not be authorized to operate as a commercial enterprise any such shops, stores, motels or restaurants; to provide the method of organizing such corporations and the management thereof; to specify the powers of such corporation; to provide for the issuance by any such corporation for any of its corporate purposes interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to provide that any such bonds or securities shall constitute negotiable instruments; to provide that such bonds or securities may be secured by a pledge of such revenues and receipts and by a foreclosable mortgage on such properties; to authorize the refunding of any such bonds or securities; to provide for remedies in the event of default in such bonds or securities; to provide that such municipalities shall not be liable for any obligation or agreement of such corporations; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases, mortgages and deeds of trust to which such corporation is a party; to provide for the filing of certificates of incorporations, deeds, mortgages and certificates of dissolution without payment of tax; to provide that the corporation may in its discretion publish a notice of the adoption of a resolution authorizing the issuance of bonds of the corporation, and to provide that any action or proceeding questioning the validity of such bonds or the pledge and mortgage to secure the same or the proceedings authorizing the same must be commenced within twenty days after the first publication of said notice; to provide the procedure for dissolution of any such corporation and the vesting of title to its property and to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law.

RICHARD DOMINICK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

FURTHER CONSIDERATION OF H. B. 219

BILLS ON THIRD READING

The Senate proceeded to further consideration of the Bill:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions as to the compensation allowable to the judge of probate for collecting such licenses, provisions respecting remittances by the said judge of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles.

as amended. The question was on the amendment offered by Mr. McDermott to the Cooper substitute for the Bill, H. B. 219, as amended.

On motion of Mr. Cooper, said amendment was laid on the table.

The question then recurred on the substitute offered by Mr. Cooper for the Bill, H. B. 219, as amended. On motion of Mr. Cooper, said substitute was laid on the table.

Mr. Cooper then offered the following substitute for the Bill, H. B. 219, as amended, to-wit:

SUBSTITUTE FOR H. B. 219 AS AMENDED BY
COMMITTEE SUBSTITUTE

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions respecting remittances by the judges of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; and to those ends, to amend Sections 692, 693, 695, 696, 697, 703, 712, and 713 of Title 51 of the Code of Alabama of 1940 and to repeal Sections 698, 699, and 700 of the said Title 51, and all other statutes in conflict with this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 692 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 692 shall read as follows:

Section 692. The following words and phrases, wherever used in this article, shall have the meanings ascribed to them in this section.

"Dealer" means every person currently licensed by this state to engage in the business of buying, selling, or exchanging vehicles required to be registered hereunder who has an established place of business for such purpose in this state and to whom current dealer registration plates have been issued by the Department of Revenue.

"Established Place of Business" means a place actually occupied either continuously or at regular periods at or from which a business or a part thereof is transacted.

"Farm Tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements designed and used for agricultural purposes and only incidentally moved upon public highways.

"House Trailer" means any trailer or semi-trailer which was designed to be drawn by another vehicle and (a) to provide living and sleeping facilities, or either, or (b) for use as an office, apartment, storehouse, or warehouse, or (c) for display and promotion of merchandise and services or any similar purpose, but not including (1) camping trailers with tops and sides, or either, which fold or collapse for in-transit movement and (2) trailers which, although of the type customarily used for purposes referred to in the foregoing clauses (a), (b), and (c), are actually used for the purpose of transporting property for hire or property for distribution by a private carrier.

"Jitney Bus" means a motor vehicle engaged in the business of carrying passengers for hire over, along and upon a definite or substantially fixed route or routes, in the incorporated limits of any municipality or

within ten miles thereof, except where such vehicle is operated in conjunction with, or in lieu of, a street railway system or duly franchised bus operation authorized by the governing body of a city and the Alabama Public Service Commission (all such motor vehicles that are excepted in the exception clause of this definition being subject to the license tax specified in Section 695(a) of this title).

"Motor Vehicle" means every vehicle which is self-propelled, every vehicle which is propelled by electric power from overhead trolley wires, and every vehicle that is drawn by a self-propelled vehicle, including every trailer and semitrailer.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, including motor scooters and motor bicycles, but not including farm tractors.

"Municipality" means any incorporated city or town in this state.

"Nonresident" means every person who is not a resident of this state.

"Owner" means any of the following: (a) a person or persons holding the legal title to a motor vehicle; (b) the mortgagor or conditional vendee of a vehicle that is the subject of a chattel mortgage or an agreement for the conditional sale thereof or other like agreement, with the right of purchase upon performance of the conditions stated in the agreement, and with the immediate right of possession vested in the mortgagor or conditional vendee, and (c) the lessee of a vehicle owned by the United States of America or any of its agencies or instrumentalities.

"Private Passenger Automobile" means and includes every motor vehicle designed primarily for the transportation of nine persons or less except the following: (1) motorcycles; (2) motor vehicles used in the transportation of persons for hire; (3) trailers or semitrailers; or (4) self-propelled campers or house cars; and includes also every motor vehicle of the type usually referred to as a bus which is owned and operated by an individual for personal or private use and not for hire, rent or compensation. Motor trucks of the type commonly known as "pick-ups" or "pick-up trucks," regardless of the use made of any such motor trucks and regardless of whether the owner thereof owns or has access to any other mode of transportation, shall not be deemed to constitute a private passenger automobile.

"Person" means every individual, firm, partnership, association, estate, trust or corporation, and the receiver, assignee, agent, administrator, or other representative of any of them.

"Public Highway" means every highway, road, street, alley, lane, court, place, trail, drive, bridge, viaduct or trestle, located either within a municipality or in unincorporated territory, and laid out or erected as such by the public or dedicated or abandoned to the public or intended for use by or for the public. The term "public highway" shall apply to and include driveways upon the grounds of universities, colleges, schools and institutions, but shall not be deemed to include private driveways, private roads, or private places not intended for use by the public.

"Semitrailer" means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and some part of its load rest upon or are carried by another motor vehicle.

"State" means a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

"Tax Year" means the tax year of this state, being the twelve months period commencing on each October 1.

"Trailer" means every vehicle without motive power designed to carry persons or property wholly on its own structure and to be drawn by another motor vehicle.

"Truck" means every self-propelled motor vehicle designed and used primarily for the transportation of property in or upon its own structure, every self-propelled motor vehicle of the types known as "campers" and "house cars", and every vehicle, of the type commonly called a wrecker, which is used to move disabled motor vehicles for repair, storage and other purposes.

"Truck Tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"Utility Trailer" means a trailer primarily designed to be drawn by a passenger car or pick-up truck, including luggage trailers, boat trailers, folding or collapsible camping trailers, and other small trailers of similar size and function.

"Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by muscular power or used exclusively upon rails or tracks.

All references in this article to the judge of probate shall be deemed to include the commissioner of revenue, license commissioner, or other county official designated by law to register motor vehicles, issue license plates, and perform other duties in connection with motor vehicle licenses.

Section 2. Section 693 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 693 shall read as follows:

Section 693. The following annual license taxes and registration fees are hereby imposed, and shall be charged, on each private passenger automobile operated on the public highways of this state and on each motorcycle operated on the said public highways:

- (a) For each private passenger automobile \$13.00
- (b) For each motorcycle 7.00

No private passenger automobile and no motorcycle shall be used on any public highway in the state unless the proper license tag therefor has been procured and is securely attached to the rear end thereof, such tag to be so attached right side up with the number thereof in an upright position and plainly visible.

The purchaser of any motor vehicle requiring a tag shall have four days from the date of its acquisition within which to procure the required tag.

Section 3. Section 695 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 695 shall read as follows:

Section 695. (a) The following annual license taxes and registration fees are hereby imposed, and shall be charged, on each automobile, motor bus or other motor vehicle (other than motor vehicles subject to the license provided for in paragraph (c) of this section and other than jitney busses subject to license under Section 694 of this title) used on public highways in this state for transporting passengers paying fare or charges:

With a seating capacity of five persons or less, \$47.50;

With a seating capacity of more than five persons and not exceeding ten persons, \$60.00;

With a seating capacity of more than ten persons and not exceeding fifteen persons, \$85.00;

With a seating capacity of more than fifteen persons and not exceeding twenty persons, \$110.00;

With a seating capacity of more than twenty persons and not exceeding forty persons, \$160.00;

With a seating capacity exceeding forty persons, \$210.00;

provided, however, that the Commissioner of Revenue of Alabama is hereby authorized and directed to apportion the amount of the license tax payable under this subsection (a) by any common carrier of passengers operating on the public highways of this State a fleet of two or more motor vehicles under the authority of the Interstate Commerce Commission so that the amount of the license tax payable under this subsection (a) for any tax year by such a carrier in respect of all motor vehicles operated on the public highways of this state as a part of the said fleet shall bear the same relation to, and constitute the same proportion of, the total of the amounts specified in the foregoing schedule set forth in this section, and applicable to the said motor vehicles, that the total number of miles operated by the said fleet in Alabama during the then preceding tax year bears to the total number of miles operated by the said fleet in all states during the said preceding tax year; and provided, further, that the Commissioner of Revenue of Alabama is hereby authorized to promulgate such reasonable rules and regulations as may be necessary to effectuate such apportionment.

(b) Each person desiring to take out a license to operate a motor vehicle for the transportation of passengers for hire, except taxicabs and touring cars hired by the hour or for special trips on terms agreed upon between the passenger and the carrier at the time of entering upon such service, shall at the time he applies for such license make out in writing a statement describing the route over which such motor vehicle shall be operated and naming the terminal points thereof, and such route shall be plainly indicated on the motor vehicle in letters of sufficient size to be read at a distance of fifty feet.

(c) For each motor vehicle operated on public highways in this state as a part of a taxicab system, or similar system, the following annual license taxes or registration fees are hereby imposed and shall be charged:

For each vehicle weighing not exceeding 2,500 pounds, \$21.00;

For each vehicle weighing more than 2,500 pounds, but not exceeding 3,000 pounds, \$27.00;

For each vehicle weighing more than 3,000 pounds, but not exceeding 3,500 pounds, \$30.00;

For each vehicle weighing over 3,500 pounds, but not exceeding 4,000 pounds, \$36.00; and

For each vehicle weighing in excess of 4,000 pounds, \$40.00.

(d) For each motor bus operated on public highways in this state which is owned by a church, private school, hospital or other eleemosynary institution and used only for the purposes of such institution, re-

ardless of whether any compensation may be charged to any passenger, a license tax or registration fee of \$13.00 is hereby imposed and shall be charged.

Section 4. Section 696 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 696 shall read as follows:

Section 696. For each ambulance and automobile hearse operated on the public highways in this state, the following annual license taxes and registration fees are hereby imposed and shall be charged: In each municipality of less than 10,000 inhabitants, and in all unincorporated territory, \$15.00; in each municipality of 10,000 to 40,000 inhabitants, \$25.00; in each municipality of 40,001 inhabitants to 100,000 inhabitants, \$35.00; and in each municipality of more than 100,000 inhabitants, \$55.00. Automobile hearses and ambulances shall carry symbol tags.

Section 5. Section 697 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 697 shall read as follows:

Section 697. For each truck and for each truck tractor, operated on the public highways of this state, the following annual license taxes and registration fees, based on the gross vehicle weight of such motor truck or motor tractor, are hereby imposed and shall be charged:

For each truck or truck tractor
having the following gross weight in
pounds:

Amount of License Tax

0 to 6,000 pounds	\$ 13.00
6,001 to 12,000 pounds	\$ 35.00
12,001 to 18,000 pounds	\$ 50.00
18,001 to 24,000 pounds	\$ 65.00
24,001 to 30,000 pounds	\$220.00
30,001 to 36,000 pounds	\$270.00
36,001 to 42,000 pounds	\$325.00
42,001 pounds and over	\$475.00

provided, that the annual license tax or registration fee shall be \$100.00, regardless of gross vehicle weight, for each truck tractor operated exclusively within the municipality in which it is customarily used, or within fifteen (15) road miles of the said municipality, by a carrier subject to regulation by either the Alabama Public Service Commission or the Interstate Commerce Commission; and provided, further, that the rates hereinabove specified shall be limited, in the case of trucks used by a farmer solely for transporting farm products or the personal property of the farmer for his use on the farm and trucks used for transporting forest products, to a maximum of \$35.00 where the gross vehicle weight of the truck does not exceed 24,000 pounds and to a maximum of \$65.00 where the gross vehicle weight of the truck does not exceed 30,000 pounds.

For the purposes of this section, gross vehicle weight shall mean the empty weight of the truck or truck tractor and, in the case of combinations, the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error allowable under any other provision of law shall be deemed applicable to the provisions of this section. Every person making application for a license to use a truck or truck tractor on the public highways of this state shall be required to make an affidavit declaring the gross vehicle weight of such truck or truck tractor

and file the said affidavit with the judge of probate, or other county licensing officer, in the county in which the said application is made. Upon payment of the applicable motor vehicle license tax or registration fee, the license to use the said truck or truck tractor on the public highways of this state shall be deemed limited to the gross vehicle weight so declared by the owner, which shall be deemed to constitute the allowable gross vehicle weight for which the said vehicle is licensed.

After having obtained a license hereunder with respect to any truck or truck tractor, the owner thereof may during the then current tax year voluntarily increase the allowable gross weight for which his vehicle is licensed by making a new affidavit, applying for a new license applicable to the appropriate gross vehicle weight classification, surrendering the license plates or tags previously obtained, and paying the difference between the fees applicable to a license for the higher weight classification desired and the fee in respect of the license so surrendered. The license classification of a truck or truck tractor may not be decreased, however, except once a year at the time new license tags or plates are purchased for such truck or truck tractor. If upon inspection, the gross vehicle weight of any truck or truck tractor licensed hereunder is found to weigh more than is permitted by the license plates which it carries (regardless of whether such weight is below the legal maximum permitted for other than licensing purposes), the owner of such truck or truck tractor shall be required immediately to pay the fee applicable to the gross vehicle weight disclosed by the said inspection, shall be allowed no credit for the surrendered underrated license plates or tags, and shall be subject to the penalty prescribed by law for using a motor vehicle with an improper license.

Any truck or truck tractor, either new or used, that may be acquired or brought into this state during the first quarter of a tax year, or that may be operated in this state during such period, shall pay the full annual license tax or fee specified herein. Any truck or truck tractor that may be acquired or brought into this state in any subsequent quarter of the tax year (and that shall not theretofore have become subject to license hereunder by virtue of operation on the highways of this state in any then preceding quarter of the tax year) shall be licensed on a quarterly declining basis, and the amount of the license tax or fee shall be an amount equal to one-fourth of the applicable license tax or fee multiplied by the number of quarter years intervening between the date such truck or truck tractor is acquired or brought into the state and the first day of the then succeeding tax year; provided, that for purposes of computing the amount of the license tax or fee on a quarterly declining basis, any part or fraction of a quarter year shall be counted as a full quarter year and any amount less than ten cents shall be figured to the nearest ten cents above the fraction thereof, and in no event shall the cost of the license be less than \$3.25. The division of the tax year into quarters, as herein provided, shall be on the basis of calendar months of the entire tax year.

Section 6. Section 703 of Title 51 of the Code of Alabama of 1940 shall be and hereby is amended so that the said Section 703 shall read as follows:

Section 703. For each trailer (other than house trailers) and each semitrailer operated on the public highways of this state, the following annual license taxes and registration fees are hereby imposed and shall be charged:

(a) For each privately owned utility trailer, which is not operated for hire, lease or rental, \$3.00;

(b) For each utility trailer, rented or leased for compensation of any kind or nature, \$8.00;

(c) For each truck trailer or semitrailer, \$15.00; and

(d) For each trailer of any kind other than house-trailers and other than those trailers referred to in the foregoing clauses (a), (b), and (c), of this section, \$15.00;

provided, however, that any trailer or semitrailer used by a farmer exclusively for transporting farm products to and from market or for transporting the personal property of a farmer for his use on the farm shall not be subject to the license taxes and registration fees provided for in this section. Trailers of any kind or description for hauling passengers for hire are prohibited by law and shall not be licensed under this article.

Housetrailer, which are excluded from the foregoing provisions of this section, are subject, however, to the registration fee provided for in Act No. 44 adopted at the 1961 Special Session of the Legislature, as amended, and to the other provisions of the said Act No. 44, as amended.

Section 7. Section 712 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 712 shall read as follows:

Section 712. On or before the tenth day of each month, the judge of probate must disburse all money received by him during the then preceding month in respect of motor vehicle licenses and registration fee as follows:

(a) Two and one-half per cent of the total money so collected shall be retained by the judge of probate as compensation for collecting such money; but no such compensation shall be allowed with respect to any money not remitted pursuant to clauses (b) and (c) of this section at the time when such remittances are provided in this section to be made;

(b) Five per cent of all money so collected must be remitted to the state treasurer; and

(c) The residue of the money so collected shall be remitted as provided in Section 713 of this title;

provided, however, that the judge of probate shall have an additional period of ten days within which to make remittances of amounts collected by him during the months of October, November, and December and remittances with respect to collections during any of those months shall be made on or prior to the twentieth day of the then next succeeding month. At the time that each monthly remittance is made as herein provided, the judge of probate shall forward to the comptroller and to the department of revenue each a certified list of all motor vehicle licenses issued by the judge of probate during the then preceding month, stating therein the amount collected for each license tag, the number of the tag, the motor number of the vehicle or vehicle identification number in lieu of the motor number, the serial number of the vehicle, the name and address of its owner, and the date of the issuance of said tag; provided, however, that in all counties having over 600,000 population according to the last or any subsequent federal census the date of the issuance of the tag shall not be included in the certified list of all motor vehicle licenses issued. If no such licenses shall have been issued during any month by the judge of probate, he shall report that fact to the said comptroller and to the said department on or prior to the tenth day of the then next succeeding month. If any judge of probate fails to comply with the provisions of this section within five days after the date on which he is required to make any report or remittance hereunder, the comptroller shall forthwith report such failure to the Governor, who shall cite such judge of probate to show cause why he has not made report of the list of motor vehicle licenses and paid over the

amount collected by him as required by law, and if such judge of probate fails to show sufficient cause for such failure, the Governor shall direct the attorney general to institute impeachment proceedings against him before the supreme court.

Section 8. Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended so that the said Section 713 shall read as follows:

Section 713. The moneys collected each month by the judge of probate from motor vehicle license taxes and registration fees, after deducting therefrom the amounts referred to in clauses (a) and (b) of Section 712 of this title (the moneys remaining after making the said deductions being referred to in this section as "the net proceeds") shall be distributed as follows:

(a) Seventy-two percent of the net proceeds shall be distributed to the State of Alabama and shall be remitted by the judge of probate to the State Treasurer;

(b) Twenty-one percent of the net proceeds shall be remitted by the judge of probate (1) to the municipality in which the owner of the motor vehicle resides or with respect to which it is registered as required by law, or (2) if the said owner does not reside in, or the motor vehicle is not required by law to be registered with respect to, an incorporated municipality, then to the county in which the license tax or registration fee with respect to the said motor vehicle is paid; and

(c) Seven percent of the net proceeds shall be remitted by the judge of probate to the State Treasurer and shall be apportioned by the State Treasurer among the several counties of the state in an amount for each county that bears the same relation to, and constitutes the same proportion of, the total of the said seven percent that the total number of motor vehicles registered in such county (other than those registered with respect to municipalities of that county) bears to the total number of motor vehicles registered in the entire state (other than those registered with respect to municipalities). The amounts so apportioned to each county shall be distributed by the State Treasurer as follows: (1) Ten per centum (10%) of the amount so apportioned to each county shall be distributed among the municipalities in the county with respect to which the apportionment is made, each such distribution to be on the basis of the ratio of the population of each such municipality to the total population of all municipalities in the applicable county according to the then next preceding federal decennial census; and (2) the remaining portion of the amount so apportioned to each county shall be distributed to the county to which such apportionment is made.

Payments of the amounts herein provided to be distributed by the State Treasurer to counties and municipalities shall be made quarterly by state warrant and shall be mailed, in the case of such distribution to a county, to the county treasurer (or other officer or entity having the functions of a county treasurer) of that county and, in the case of a distribution to a municipality, to the treasurer of that municipality.

Any municipality incorporated after September 30, 1967, shall not participate in the distribution provided for in this section until the fiscal year next succeeding the fiscal year during which it is incorporated. The population of any municipality incorporated subsequent to the taking of the then next preceding federal decennial census shall, until the effective date of the then next succeeding federal decennial census, be deemed to be the population shown by the census for that municipality taken pursuant to the requirements of Section 13 of Title 37 of the Code of Alabama of 1940. For the purposes of this act, each federal decennial census shall be deemed to be effective on the first day of Oc-

tober next following the publication of the results of such decennial census.

The amounts remitted to the State Treasurer pursuant to clause (a) of the said Section 712 and all moneys provided in this section to be distributed to the State of Alabama shall be covered into the treasury to the public road and bridge fund and disbursed as follows: (1) The amounts appropriated by the legislature, out of the motor vehicle license taxes and registration fees, for payment of expenses of the department of revenue in the collection of the said taxes and fees, including salaries, cost of tags, and other costs of collection, shall be paid out of the portion of the said taxes and fees that is remitted to the State Treasurer pursuant to clause (a) of the said Section 712; (2) so much of the net proceeds distributed to the State of Alabama pursuant to the provisions of this section as shall be necessary for such purpose shall be used to pay at their respective maturities the principal of and interest on bonds issued after March 1, 1967, by Alabama Highway Authority, a public corporation created and existing under Act No. 43 adopted at the First Special Session of 1955 of the Legislature; and (3) the balance of the moneys referred to in clauses (1) and (2) of this paragraph remaining after compliance with the said clauses (1) and (2), respectively, shall be used by the state highway department for construction and maintenance of public roads and bridges in the state and for any other purpose for which moneys in the public road and bridge fund may be lawfully used.

All moneys received by a municipality or county under this section shall be used by such municipality or county exclusively for the construction, improvement and maintenance of public highways or public streets, including administrative expenses in connection therewith and retirement of securities evidencing obligations incurred for payment of costs of such construction, improvement and maintenance.

Section 9. The following shall be and hereby are repealed: (a) Sections 698, 699, and 700 of Title 51 of the Code of Alabama of 1940; (b) Act No. 315 adopted at the 1951 Regular Session of the Legislature and relating to licenses and registration fees on automobiles designed and used primarily for private passenger purposes and motorcycles; (c) Act No. 775 adopted at the 1953 Regular Session of the Legislature, relating to licenses and registration fees on motor trucks of the type known as "pick-up" or "pick-up trucks" having three-fourths ton capacity or less and constituting the only mode or method of transportation owned by its owner or available for use in his household; (d) Act No. 672 adopted at the 1961 Regular Session of the Legislature, as amended; and (e) all other laws or portions thereof in conflict with the provisions of this act. This act shall not be deemed to repeal or modify any of the following statutes: Section 101 of Title 35 of the Code of Alabama of 1940; Act No. 359 adopted at the 1951 Regular Session of the Legislature; Act No. 765 adopted at the 1953 Regular Session of the Legislature; Act No. 308 adopted at the 1955 Regular Session of the Legislature, as amended; Act No. 68 adopted at the 1959 Second Special Session of the Legislature; Act No. 576 adopted at the 1963 Regular Session of the Legislature; and Acts Nos. 74 and 116 adopted at the 1965 Second Special Session of the Legislature; and each of the statutes referred to in this sentence shall remain in full force and effect.

Section 10. It is the intention of the Legislature by the enactment of this act to raise revenue and to appropriate funds to pay the principal of and interest on bonds that may be issued by the Alabama Highway Authority, a public corporation existing under the laws of this state, for the purpose of constructing highways and bridges, to raise revenue and appropriate funds for other highway and bridge purposes and to raise revenue and appropriate funds to provide a program for road and street purposes of the counties and municipalities of this state.

Section 11. This act shall become effective October 1, 1967.

Mr. Bailes offered the following amendment to the pending Cooper substitute for the Bill, H. B. 219, as amended, to-wit:

Amendment to Substitute H. B. 219, as amended by Committee Substitute

Strike out the words in the 7th line of Section (C) of Section 713 of Section 8 "(other than those registered with respect to municipalities of that County)" and also strike out on line 8 of Section (C) of Section 713 of Section 8 after the word State "(other than those registered with respect to municipalities)"

Mr. Cooper moved that the amendment offered by Mr. Bailes be laid on the table, which motion was lost.

Yeas 15; Nays 16.

Yeas:

Messrs.:	Cooper	Jackson	Oden	
Branyon	Folsom	Leonard	Skidmore	
Carr	Giles	Lindsey	Stone	
Clark	Givhan	Lolley	Turner	
				—15

Nays:

Messrs.:	Gilmore	McCarley	Pierce	
Albea	Goodwyn	McDermott	Radney	
Bailes	Harris	Morrow	Torbert	
Childs	Hawkins	Pelham	Vacca	
Engel				—16

And said amendment offered by Mr. Bailes was then adopted.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Engel	McCarley	Pierce	
Albea	Gilmore	McDermott	Radney	
Bailes	Goodwyn	Morrow	Torbert	
Childs	Harris	O'Bannon	Vacca	
Dominick	Hawkins	Pelham		—18

Nays:

Messrs.:	Cooper	Jackson	Oden	
Branyon	Folsom	Leonard	Skidmore	
Carr	Giles	Lindsey	Stone	
Clark	Givhan	Lolley	Turner	
				—15

And said substitute, as thus amended, offered by Mr. Cooper for the Bill, H. B. 219, as amended by the Committee substitute, was then adopted.

Yeas 31; Nay 1.

Yeas:

Messrs.:	Engel	Leonard	Pelham	
Albea	Folsom	Lindsey	Pierce	
Bailes	Giles	Lolley	Radney	
Carr	Gilmore	McCarley	Skidmore	
Childs	Givhan	McDermott	Stone	
Clark	Goodwyn	Morrow	Torbert	
Cooper	Hawkins	O'Bannon	Turner	
Dominick	Jackson	Oden	Vacca	
				—31

Nay: Mr. Branyon

—1

Mr. Gilmore offered the following amendment to the Bill, H. B. 219, as amended by the Cooper substitute, to-wit:

Amendment to H. B. 219, as amended

Strike out Section 5 and insert in lieu thereof the following:

"Section 5. Section 697 of Title 51 Code of Alabama of 1940 shall be and hereby is amended so that the said Section 697 shall read as follows:

"Section 697 (a) For each truck or truck tractor other than those subject to licenses under subsection (b) of this Section, using the public highways of this State, the following license based on the gross vehicle weight in pounds shall pay the following licenses:

"For each truck or truck tractor having the following gross vehicle weight in pounds:

Weight in Pounds:	Amount of License Tax:
0 to 6000	\$ 13.00
6001 to 12000	30.00
12001 to 18000	45.00
18001 to 24000	65.00
24001 to 30000	100.00
30001 to 36000	150.00
36001 to 42000	200.00
42001 over	250.00

"Provided, that the rates hereinabove specified shall be limited, in the case of trucks used for transporting farm products or the personal property of the farmer for his use on the farm to a maximum of \$30.00 where the gross vehicle weight of the truck does not exceed 24,000 pounds.

"(b) For each truck or truck-tractor with more than two axles when a single unit and each truck or truck-tractor used in combination with a trailer or semi trailer which are used on public highways of this State to transport goods, wares, merchandise, or commodities of any kind or nature for compensation of any kind, or operated under any rental, lease or other agreement where compensation is charged for the use of such vehicle, except trucks used for the transportation of household goods, personal furniture, or other household effects, and motor vehicles used for the transportation of coal, iron, ore, limestone, bauxite, sand and gravel, and except motor vehicles used in the transportation of commodities exempt under the Alabama Motor Carrier Act of 1939, as amended, either directly or indirectly, shall pay the following licenses:

For each truck or truck tractor having the following gross vehicle weight in pounds:

	Amount of license tax:
0 to 6000	\$ 13.00
6001 to 12000	35.00
12001 to 18000	60.00
18001 to 24000	75.00
24001 to 30000	200.00
30001 to 36000	300.00
36001 to 42000	400.00
42000 over	500.00

Provided, that vehicles as described in this subsection which operate exclusively within fifteen miles of the corporate limits of the incorporated municipality in which they are customarily domiciled (but not including vehicles operating beyond the borders of Alabama) are not considered to be for hire.

"For the purposes of this subsection, gross vehicle weight shall mean the empty weight of the truck or truck tractor and, in the case of combinations, the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error allowable under any other provisions of this section. Every person making application for license under this subsection (b) to use a truck or truck tractor on the public highways of this state shall be required to make an affidavit declaring the gross vehicle weight of such truck or truck tractor and file the said affidavit with the judge of probate, or other county licensing officer, in the county in which the said application is made. Upon payment of the applicable motor vehicle license tax or registration fee, the license to use the said truck or truck tractor on the public highways of this state shall be deemed limited to the gross vehicle weight so declared by the owner, which shall be deemed to constitute the allowable gross vehicle weight for which the said vehicle is licensed.

"After having obtained a license under this subsection (b) with respect to any truck or truck tractor, the owner thereof may during the then current tax year voluntarily increase the allowable gross weight for which his vehicle is licensed by making a new affidavit, applying for a new license applicable to the appropriate gross vehicle weight classification, surrendering the license plates or tags previously obtained, and paying the difference between the fees applicable to a license for the higher weight classification desired and the fee in respect of the license so surrendered. The license classification of a truck or truck tractor may not be decreased, however, except once a year at the time new license tags or plates are purchased for such truck or truck tractor. If upon inspection, the gross vehicle weight of any truck or truck tractor licensed hereunder is found to weigh more than is permitted by the license plates which it carries (regardless of whether such weight is below the legal maximum permitted for other than licensing purposes), the owner of such truck or truck tractor shall be required immediately to pay the fee applicable to the gross vehicle weight disclosed by the said inspection, shall be allowed no credit for the surrendered under-rated license plates or tags, and shall be subject to the penalty prescribed by law for using a motor vehicle with an improper license."

"(c) Any truck or truck tractor, either new or used, that may be acquired or brought into this state during the first quarter of a tax year, or that may be operated in this state during such period, shall pay the full annual license tax or fee specified herein. Any truck or truck tractor that may be acquired or brought into this state in any subsequent quarter of the tax year (and that shall not theretofore have become subject to license hereunder by virtue of operation on the highways of this state in any then preceding quarter of the tax year) shall be licensed on a quarterly declining basis, and the amount of the license tax or fee shall be an amount equal to one-fourth of the applicable license tax or fee multiplied by the number of quarter years intervening between the date such truck or truck tractor is acquired or brought into the state and the first day of the then succeeding tax year; provided, then for purposes of computing the amount of the license tax or fee on a quarterly declining basis, any part or fraction of a quarter year shall be counted as a full quarter year and any amount less than ten cents shall be figured to the nearest ten cents above the fraction thereof, and in no event shall the cost of the license be less than \$3.25. The division of the tax year into

quarters, as herein provided, shall be on the basis of calendar months of the entire tax year."

Which was adopted.

Yeas 24; Nays 9.

Yeas:

Messrs.:	Engel	Hawkins	Morrow	
Albea	Folsom	Jackson	Oden	
Branyon	Giles	Leonard	Skidmore	
Carr	Gilmore	Lindsey	Stone	
Childs	Givhan	Lolley	Turner	
Clark	Goodwyn	McCarley	Vacca	
Cooper				—24

Nays:

Messrs.:	Harris	Pelham	Radney	
Bailes	McDermott	Pierce	Torbert	
Dominick	O'Bannon			—9

Mr. Gilmore then offered the following amendment to the Bill, H. B. 219, as amended, to-wit:

Amendment No. 2 to H. B. 219, As Amended

In Section 6, strike out the figure \$15.00 wherever it appears in Section 6 and insert in lieu thereof the figure \$20.00.

Which was adopted.

Yeas 25; Nays 7.

Yeas:

Messrs.:	Dominick	Jackson	Morrow	
Albea	Engel	Leonard	Oden	
Branyon	Folsom	Lindsey	Skidmore	
Carr	Giles	Lolley	Stone	
Childs	Gilmore	McCarley	Turner	
Clark	Givhan	McDermott	Vacca	
Cooper	Hawkins			—25

Nays:

Messrs.:	Harris	Pelham	Radney	
Bailes	O'Bannon	Pierce	Torbert	
				—7

Mr. Harris offered the following amendment to the Bill, H. B. 219, as amended, to-wit:

Amendment to Substitute for H. B. 219, As Amended

Amend Section 2 (a) by deleting therefrom the figure "\$13.00", and substituting therefor the figure "\$10.00".

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 24; Nays 7.

Yeas:

Messrs.:	Clark	Giles	Goodwyn
Branyon	Cooper	Gilmore	Hawkins
Childs	Engel	Givhan	Jackson

Leonard	McDermott	Radney	Torbert	
Lindsey	Morrow	Skidmore	Turner	
Lolley	Oden	Stone	Vacca	
McCarley				—24

Nays:

Messrs.:	Bailes	Harris	Pelham	
Albea	Dominick	O'Bannon	Pierce	—7

And said Bill, H. B. 219, as amended by the Cooper substitute, as amended, was then read a third time at length and passed.

Yeas 26; Nays 7.

Yeas:

Messrs.:	Giles	Lindsey	Radney	
Carr	Gilmore	Lolley	Skidmore	
Childs	Givhan	McCarley	Stone	
Clark	Goodwyn	McDermott	Torbert	
Cooper	Hawkins	Morrow	Turner	
Engel	Jackson	Oden	Vacca	
Folsom	Leonard	Pierce		—26

Nays:

Messrs.:	Bailes	Dominick	O'Bannon	
Albea	Branyon	Harris	Pelham	—7

The Bill:

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 51, Sections 655, 656, as amended, and 657, as amended.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

Substitute for H. B. 220

A BILL TO BE ENTITLED AN ACT

To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including Sections 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the meanings hereinafter respectively ascribed to them.

"Base annual county distribution" means \$590,000.

"Cost of collection" means the amounts from the proceeds of the highway gasoline tax that may be appropriated by the Legislature to the Department of Revenue for its operating expenses.

"County" means each county in the state.

"Fiscal year" means a fiscal year of the state.

"Highway department" means the highway department of the state.

"Highway gasoline tax" means (a) the excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, exclusive of those portions of the said tax in respect of aviation fuel and marine gasoline, as those terms are used in the said Section 647, and (b) the excise tax levied by Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended, exclusive of that portion of the said tax in respect of diesel fuel.

"Local subdivisions' share of the net tax proceeds" means the fifty-five per centum of the net tax proceeds referred to in the first sentence of Section 4 hereof, less any portion thereof that may at any time be used upon the occurrence of the contingency referred to in subsection (a) of the said Section 4.

"Municipality" means an incorporated city or town in the state.

"Net tax proceeds" means the entire proceeds from the highway gasoline tax less the cost of collection and less any refunds of the said proceeds pursuant to the provisions of Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended, or pursuant to the provisions of Act No. 743 adopted at the 1957 Regular Session of the Legislature, as amended.

"State" means the State of Alabama.

"State's share of the net tax proceeds" means the forty-five per centum of the net tax proceeds referred to in the first sentence of Section 3 hereof.

The foregoing definitions shall be deemed applicable whether the words or phrases defined are used in the singular or plural.

Section 2. Legislative Intent. It is the intention of the Legislature by the enactment of this act to appropriate funds to pay the principal of and interest on outstanding bonds of the state and of public corporations created pursuant to its authority, to appropriate funds for other highway and bridge purposes, and to provide a program for road and street purposes of the counties and municipalities. This act shall be liberally construed to effect the said purposes.

Section 3. Distribution of Forty-Five Per Centum of the Net Tax Proceeds. Forty-five per centum (45%) of the net tax proceeds is hereby allocated and appropriated for state highway purposes and as the state's share of the net tax proceeds shall be covered into the state treasury to the credit of the public road and bridge fund and shall be disbursed as hereinafter provided in this section.

(a) A portion of the state's share of the net tax proceeds that is equal in amount to two-sevenths (equivalent to six twenty-firsts) of the net tax proceeds shall be disbursed for the following purposes and in the order hereinafter set forth in this paragraph: (1) so much thereof as shall be necessary for such purpose shall be disbursed to pay at their respective maturities the principal of and interest on the bonds issued under the provisions of the amendment to the constitution of Alabama that was

proposed by Act No. 82 adopted at the 1951 Regular Session of the Legislature (sometimes referred to as Amendment LXXXVII), the final maturity of which bonds is April 1, 1969; and (2) so much thereof thereafter remaining as shall be necessary for such purpose shall be disbursed to pay at their respective maturities the principal of and interest on the bonds issued prior to March 1, 1967, by Alabama Highway Authority, a public corporation organized and existing under the provisions of Act No. 43 adopted at the First Special Session of 1955 of the Legislature, in the order in which the said two-sevenths of the net tax proceeds were pledged for the said bonds.

(b) A portion of the state's share of the net tax proceeds that is equal in amount to two twenty-firsts of the net tax proceeds shall be disbursed, to the extent necessary for such purpose, to pay at their respective maturities the principal of and interest on the bonds issued prior to March 1, 1967, by the said Alabama Highway Authority, in the order in which the said two twenty-firsts of the net tax proceeds were pledged for the said bonds.

(c) A portion of the state's share of the net tax proceeds that is equal in amount to one twenty-first of the net tax proceeds shall be disbursed, to the extent necessary for such purpose, to pay at their respective maturities the principal of and interest on the bonds issued by the said Alabama Highway Authority after March 1, 1959, and prior to March 1, 1967, in the order in which the said one twenty-first of the net tax proceeds were pledged for the said bonds.

(d) The residue of the state's share of the net tax proceeds remaining after provision shall have been made, out of the aforesaid nine twenty-firsts (9/21) of the net tax proceeds, for payment of the obligations referred to in the foregoing paragraphs (a), (b) and (c) of this section, shall be disbursed for the following purposes, in the following order, and to the extent necessary therefor:

(1) For payment at their respective maturities of the principal of and interest on bonds issued after March 1, 1967, by the said Alabama Highway Authority, to such extent and to such extent only as the portion of the motor vehicle license taxes and registration fees provided in Section 713 of Title 51 of the Code of Alabama of 1940, as amended, to be used for the payment of the principal of and interest on the bonds issued after March 1, 1967, by the said Alabama Highway Authority should be insufficient to pay the said principal and interest at their respective maturities;

(2) For payment at their respective maturities of the bonds issued under Act No. 228 adopted at the 1965 Regular Session of the Legislature by Alabama Highway Finance Corporation, a public corporation organized and existing under the said Act No. 228; and

(3) For distribution on September 30 of each fiscal year to each county, which under the provisions of Section 4(b) of this act shall have received during such fiscal year less than the base annual county distribution, of such sum as, when added to the amounts so received by that county under the said Section 4(b), will equal the base annual county distribution; provided, that no distribution to any county shall be made under the provisions of this paragraph after the fiscal year ending September 30, 1971;

The state's share of the net tax proceeds paid into the public road and bridge fund and not required for any of the purposes hereinabove referred to may be withdrawn by the highway department and used by it for highway purposes.

Section 4. Distribution of Fifty-Five Per Centum of the Net Tax Proceeds. Fifty-five per centum (55%) of the net tax proceeds is hereby allocated and appropriated to be used for highway purposes by the counties and municipalities. The said fifty-five per centum (55%) of the net tax proceeds shall be covered into the state treasury and shall be disbursed as hereinafter provided in this section.

(a) In the event that the portion of the net tax proceeds provided in Section 3(d) (2) of this act to be used for payment of the principal of and interest on the bonds issued by the said Alabama Highway Finance Corporation should be insufficient to pay the said principal and interest at their respective maturities, then in that event and only to the extent of the said insufficiency, a portion of the net tax proceeds allocated and appropriated under this section, not exceeding in amount one-seventh of the entire net tax proceeds, shall be applied for payment of such principal and interest at their respective maturities.

(b) Subject to the contingent appropriation contained in paragraph (a) of this section, the said fifty-five per centum (55%) of the net tax proceeds shall be allocated as follows:

(1) A portion of the local subdivisions' share of the net tax proceeds that is equal to twenty-five per centum (25%) of the net tax proceeds shall be allocated equally among the sixty-seven counties of the state.

(2) The entire residue of the local subdivisions' share of the net tax proceeds [being an amount equal to thirty per centum (30%) of the net tax proceeds less any amount paid pursuant to the contingent appropriation in subsection (a) of this section] shall be allocated among the sixty-seven counties of the state on the basis of the ratio of the population of each such county to the total population of the state according to the then next preceding federal decennial census. For the purposes of this paragraph each federal decennial census shall be deemed to be effective on the first day of October next following the publication of the results of such decennial census.

The allocation provided for in this paragraph (b) shall be made on or prior to the tenth day of each month with respect to receipts of the highway gasoline tax by the state during the preceding month. The amount so allocated to each county shall thereupon be distributed as follows: (i) Ten per centum (10%) of the amount so allocated to each county shall be distributed among the municipalities in the county with respect to which the allocation is made, each such distribution to be on the basis of the ratio of the population of each such municipality to the total population of all municipalities in the applicable county according to the then next preceding federal decennial census; and (ii) the remaining portion of the amount so allocated to each county shall be distributed to the county with respect to which such allocation is made.

Before any distribution is made to a municipality under the provisions of the foregoing clause (i) of the preceding paragraph, there shall be presented by the applicable municipality to the highway department a plan or plans for the use of the moneys herein provided to be distributed to such municipality, and the highway department shall make such payment upon requisition by the municipality of moneys for the project with respect to which such plans are so presented to it. The highway department may offer the services and advice of its engineers and other employees with respect to the said plans when requested so to do by the municipality, but shall not have the right to refuse to pay any such requisition by the municipality so long as the project with respect to which the said plans are presented shall embrace only those purposes set out in Section 5(c) of this act for which the funds allocated to the

municipality by this act may be expended. Any funds allocated to a municipality by this act which shall not be requisitioned for withdrawal by such municipality pursuant to the provisions of this paragraph within two years after allocation shall thereupon be paid to the county in which such municipality is located.

Section 5. Use of Net Tax Proceeds for Highway Purposes. Wherever in this act any portion of the net tax proceeds is provided to be applied or used for highway purposes, the same shall be used as follows:

(a) Where the use is by the highway department, such use shall, with the approval of the Governor, be for the construction of public roads and bridges in the state, the maintenance of public roads and bridges at any time constructed by the highway department, the equipment and preparation of convicts for use upon the public roads and bridges in the state, the maintenance of such convicts while at work upon such roads and bridges, the compensation to the state for the said use of such convicts, and for such other public road and bridge purposes in the state as may be authorized by the highway department with the approval of the Governor;

(b) Where the use is by a county, such use shall be for the construction, reconstruction, maintenance, widening, alteration and improvement of public roads and bridges as is now or may hereafter be provided by law, including payment of the principal of and interest on any securities at any time issued by the county pursuant to law for payment of which all or any of the net tax proceeds were or may be lawfully pledged, and such use may also be for the purpose and subject to the provisions contained in Act No. 838 adopted at the 1953 Regular Session of the Legislature.

(c) Where the use is by a municipality, such use shall be for the construction, reconstruction, maintenance, widening, alteration and improvement of roads, bridges, streets and other public ways in accordance with the plan or plans presented by the applicable municipality to the highway department for the use of the moneys so allocated to the municipality, including payment of the principal of and interest on any securities at any time issued by the municipality pursuant to law for the payment of which any part of the net tax proceeds were or may be lawfully pledged; provided, that no part of the net tax proceeds referred to in this section shall be expended contrary to the provisions of the constitution.

Section 6. State Treasurer to make Allocations and Distributions. The State Treasurer shall make all allocations of the net tax proceeds, and shall make the distributions and payments thereof pursuant to such allocations, provided for in this act.

Section 7. Repeal of Conflicting Laws. Sections 655, 656, and 657 of Title 51 of the Code of Alabama of 1940, as amended, are hereby repealed in their entirety. All other laws or parts of laws in conflict with this act are, to the extent of such conflict, also hereby repealed.

Section 8. Preservation of Prior Pledges. It is the intention of the Legislature in enacting this act to preserve inviolate all pledges heretofore made pursuant to law of any portion of the proceeds derived from the highway gasoline tax (a) for the benefit of those bonds now outstanding that are referred to in Section 3 of this act, or (b) for the benefit of securities now outstanding that were issued pursuant to law by any county or municipality.

Section 9. Severability. The provisions of this act are hereby declared severable. If any part of this act should be held invalid, such holding shall not affect the part which remains.

Section 10. Effective Date. This act shall become effective on October 1, 1967.

On motion of Mr. Skidmore, said substitute was laid on the table.

Mr. Skidmore offered the following substitute for the Bill, H. B. 220, to-wit:

Substitute for H. B. 220

A BILL
TO BE ENTITLED
AN ACT

To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including Sections 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the meanings hereinafter respectively ascribed to them.

"Base annual county distribution" means \$550,000.

"Cost of collection" means the amounts from the proceeds of the highway gasoline tax that may be appropriated by the Legislature to the Department of Revenue for its operating expenses.

"County" means each county in the state.

"Fiscal year" means a fiscal year of the state.

"Highway department" means the highway department of the state.

"Highway gasoline tax" means (a) the excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, exclusive of those portions of the said tax in respect of aviation fuel and marine gasoline, as those terms are used in the said Section 647, and (b) the excise tax levied by Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended, exclusive of that portion of the said tax in respect of diesel fuel.

"Local subdivisions' share of the net tax proceeds" means the fifty-five per centum of the net tax proceeds referred to in the first sentence of Section 4 hereof, less any portion thereof that may at any time be used upon the occurrence of the contingency referred to in subsection (a) of the said Section 4.

"Municipality" means an incorporated city or town in the state.

"Net tax proceeds" means the entire proceeds from the highway gasoline tax less the cost of collection and less any refunds of the said proceeds pursuant to the provisions of Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended, or pursuant to the provisions of Act No. 743 adopted at the 1957 Regular Session of the Legislature, as amended.

"State" means the State of Alabama.

"State's share of the net tax proceeds" means the forty-five per centum of the net tax proceeds referred to in the first sentence of Section 3 hereof.

The foregoing definitions shall be deemed applicable whether the words or phrases defined are used in the singular or plural.

Section 2. Legislative Intent. It is the intention of the Legislature by the enactment of this act to appropriate funds to pay the principal of and interest on bonds heretofore or hereafter issued for the purpose of constructing highways and bridges in the state, to appropriate funds for other highway and bridge purposes, and to provide a program for road and street purposes of the counties and municipalities. This act shall be liberally construed to effect the said purposes.

Section 3. Distribution of Forty-Five Per Centum of the Net Tax Proceeds. Forty-five per centum (45%) of the net tax proceeds is hereby allocated and appropriated for state highway purposes and as the state's share of the net tax proceeds. The said forty-five per centum (45%) of the net tax proceeds shall be covered into the state treasury to the credit of the public road and bridge fund and shall be disbursed as hereinafter provided in this section.

(a) A portion of the state's share of the net tax proceeds that is equal in amount to two-sevenths (equivalent to six twenty-firsts) of the net tax proceeds shall be disbursed for the following purposes and in the order hereinafter set forth in this paragraph: (1) so much thereof as shall be necessary for such purpose shall be disbursed to pay at their respective maturities the principal of and interest on the bonds issued under the provisions of the amendment to the constitution of Alabama that was proposed by Act No. 82 adopted at the 1951 Regular Session of the Legislature (sometimes referred to as Amendment LXXXVII), the final maturity of which bonds is April 1, 1969; and (2) so much thereof thereafter remaining as shall be necessary for such purpose shall be disbursed to pay at their respective maturities the principal of and interest on the bonds issued prior to March 1, 1967, by Alabama Highway Authority, a public corporation organized and existing under the provisions of Act No. 43 adopted at the First Special Session of 1955 of the Legislature, in the order in which the said two-sevenths of the net tax proceeds were pledged for the said bonds.

(b) A portion of the state's share of the net tax proceeds that is equal in amount to two twenty-firsts of the net tax proceeds shall be disbursed, to the extent necessary for such purpose, to pay at their respective maturities the principal of and interest on the bonds issued prior to March 1, 1967, by the said Alabama Highway Authority, in the order in which the said two twenty-firsts of the net tax proceeds were pledged for the said bonds.

(c) A portion of the state's share of the net tax proceeds that is equal in amount to one twenty-first of the net tax proceeds shall be disbursed, to the extent necessary for such purpose, to pay at their respective maturities the principal of and interest on the bonds issued by the said Alabama Highway Authority after March 1, 1959, and prior to March 1, 1967, in the order in which the said one twenty-first of the net tax proceeds were pledged for the said bonds.

(d) The residue of the state's share of the net tax proceeds remaining after provision shall have been made, out of the aforesaid nine twenty-firsts (9/21) of the net tax proceeds, for payment of the obligations referred to in the foregoing paragraphs (a), (b) and (c) of this section, shall be disbursed for the following purposes, in the following order, and to the extent necessary therefor:

(1) For payment at their respective maturities of the principal of and interest on bonds issued after March 1, 1967, by the said Alabama Highway Authority, to such extent and to such extent only as the portion of the motor vehicle license taxes and registration fees provided in

Section 713 of Title 51 of the Code of Alabama of 1940, as amended, to be used for the payment of the principal of and interest on the bonds issued after March 1, 1967, by the said Alabama Highway Authority should be insufficient to pay the said principal and interest at their respective maturities;

(2) For payment at their respective maturities of the bonds issued under Act No. 228 adopted at the 1965 Regular Session of the Legislature by Alabama Highway Finance Corporation, a public corporation organized and existing under the said Act No. 228;

(3) For allocation on September 30 of each fiscal year to each county, to which allocation shall have been made under the provisions of Section 4(b) of this act during such fiscal year less than the base annual county distribution, of such sum as, when added to the amounts so allocated to that county under the said Section 4(b), will equal the base annual county distribution; provided, that no allocation to any county shall be made under the provisions of this paragraph after the fiscal year ending September 30, 1971; and

(4) For apportionment on September 30 of each fiscal year among the counties to which no allocation shall have been made for that fiscal year on that day pursuant to the foregoing clause (3) of this paragraph (d) of a sum equal to the difference between (i) the total amount that would have been allocated on the same day under the said clause (3) if the base annual county distribution had been \$590,000 and (ii) the amount that was actually allocated on that day under the said clause (3), the said sum apportioned pursuant to the provisions of this clause (4) to be so apportioned on the basis of the ratio of the population of each county to which an apportionment is made under this clause (4) to the total population of all counties to which an apportionment is made under this clause. (4).

The state's share of the net tax proceeds paid into the public road and bridge fund and not required for any of the purposes hereinabove referred to may be withdrawn by the highway department and used by it for highway purposes.

Each reference in this section to September 30 in any fiscal year shall be deemed to refer to the last business day of that fiscal year.

Section 4. Disposition of Fifty-Five Per Centum of the Net Tax Proceeds. Fifty-five per centum (55%) of the net tax proceeds is hereby allocated and appropriated to be used for highway purposes by the counties and municipalities. The said fifty-five per centum (55%) of the net tax proceeds shall be covered into the state treasury and shall be disbursed and allocated as hereinafter provided in this section.

(a) In the event that the portion of the net tax proceeds provided in Section 3(d) (2) of this act to be used for payment of the principal of and interest on the bonds issued by the said Alabama Highway Finance Corporation should be insufficient to pay the said principal and interest at their respective maturities, then in that event and only to the extent of the said insufficiency, a portion of the net tax proceeds allocated and appropriated under this section, not exceeding in amount one-seventh of the entire net tax proceeds, shall be disbursed for payment of such principal and interest at their respective maturities.

(b) Subject to the contingent appropriation contained in paragraph (a) of this section, the said fifty-five per centum (55%) of the net tax proceeds shall be allocated as follows:

(1) A portion of the local subdivisions' share of the net tax proceeds that is equal to twenty-five per centum (25%) of the net tax pro-

ceeds shall be allocated equally among the sixty-seven counties of the state.

(2) The entire residue of the local subdivisions' share of the net tax proceeds (being an amount equal to thirty per centum (30%) of the net tax proceeds less any amount paid pursuant to the contingent appropriation in subsection (a) of this section) shall be allocated among the sixty-seven counties of the state on the basis of the ratio of the population of each such county to the total population of the state according to the then next preceding federal decennial census.

The allocation provided for in this paragraph (b) shall be made on or prior to the tenth day of each month with respect to receipts of the highway gasoline tax by the state during the preceding month.

Section 5. Disposition of Sums Allocated and Apportioned to Counties. The amounts allocated or apportioned to each county pursuant to each of Sections 3 and 4 of this act shall be disposed of as follows: (a) Ten per centum (10%) of the amount so allocated or apportioned to each county shall be allocated among the municipalities in the county with respect to which the allocation or apportionment is made, each such allocation among the said municipalities to be on the basis of the ratio of the population of each such municipality to the total population of all municipalities in the applicable county according to the then next preceding federal decennial census; and (b) the remaining portion of the amount so allocated or apportioned to each county shall be distributed to the county with respect to which such allocation or apportionment is made.

The population of any municipality incorporated subsequent to the taking of the then next preceding federal decennial census shall be deemed to be the population shown by the census for that municipality taken pursuant to the requirements of Section 13 of Title 37 of the Code of Alabama of 1940. Any municipality incorporated after September 30, 1967, shall not participate in the allocation provided for in this section until the fiscal year next succeeding the fiscal year during which it is incorporated, the first allocation to such municipality to be made in respect of receipts of the highway gasoline tax by the State during October of the fiscal year next succeeding the said incorporation.

Before any distribution is made to a municipality of the amounts allocated to it under the provisions of the foregoing clause (a) in this section, there shall be presented by the applicable municipality to the highway department a plan or plans for the use of the moneys so allocated to such municipality, and the highway department shall make such payment upon requisition by the municipality of moneys for the project with respect to which such plans are so presented to it. The highway department may offer the services and advice of its engineers and other employees with respect to the said plans when requested so to do by the municipality, but shall not have the right to refuse to pay any such requisition by the municipality so long as the project with respect to which the said plans are presented shall embrace only those purposes set out in Section 7 (c) of this act for which the funds allocated to the municipality by this act may be expended. Any funds allocated to a municipality by this act which shall not be requisitioned for withdrawal by such municipality pursuant to the provisions of this paragraph within two years after allocation shall thereupon be paid to the county in which such municipality is located.

Section 6. Effective Date of Census. For the purposes of this act, each federal decennial census shall be deemed to be effective on the first day of October next following the publication of the results of such decennial census.

Section 7. Use of Net Tax Proceeds for Highway Purposes. Wherever in this act any portion of the net tax proceeds is provided to be applied or used for highway purposes, the same shall be used as follows:

(a) Where the use is by the highway department, such use shall, with the approval of the Governor, be for the construction of public roads and bridges in the state, the maintenance of public roads and bridges at any time constructed by the highway department, the equipment and preparation of convicts for use upon the public roads and bridges in the state, the maintenance of such convicts while at work upon such roads and bridges, the compensation to the state for the said use of such convicts, and for such other public road and bridge purposes in the state as may be authorized by the highway department with the approval of the Governor;

(b) Where the use is by a county, such use shall be for the construction, reconstruction, maintenance, widening, alteration and improvement of public roads and bridges as is now or may hereafter be provided by law, including payment of the principal of and interest on any securities at any time issued by the county pursuant to law for payment of which all or any of the net tax proceeds were or may be lawfully pledged, and such use may also be for the purpose and subject to the provisions contained in Act No. 838 adopted at the 1953 Regular Session of the Legislature.

(c) Where the use is by a municipality, such use shall be for the construction, reconstruction, maintenance, widening, alteration and improvement of roads, bridges, streets and other public ways in accordance with the plan or plans presented by the applicable municipality to the highway department for the use of the moneys so allocated to the municipality, including payment of the principal of and interest on any securities at any time issued by the municipality pursuant to law for the payment of which any part of the net tax proceeds were or may be lawfully pledged; provided, that no part of the net tax proceeds referred to in this section shall be expended contrary to the provisions of the constitution.

Section 8. State Treasurer to make Allocations and Distributions. The State Treasurer shall make all allocations of the net tax proceeds, and shall make the distributions and payments thereof pursuant to such allocations, provided for in this act.

Section 9. Repeal of Conflicting Laws. Sections 655, 656, and 657 of Title 51 of the Code of Alabama of 1940, as amended, are hereby repealed in their entirety. All other laws or parts of laws in conflict with this act are, to the extent of such conflict, also hereby repealed.

Section 10. Preservation of Prior Pledges. It is the intention of the Legislature in enacting this act to preserve inviolate all pledges heretofore made pursuant to law of any portion of the proceeds derived from the highway gasoline tax (a) for the benefit of those bonds now outstanding that are referred to in Section 3 of this act, or (b) for the benefit of securities now outstanding that were issued pursuant to law by any county or municipality.

Section 11. Severability. The provisions of this act are hereby declared severable. If any part of this act should be held invalid, such holding shall not affect the part which remains.

Section 12. Effective Date. This act shall become effective on October 1, 1967.

Which was adopted.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Folsom	Leonard	Pelham
Albea	Giles	Lindsey	Pierce
Bailes	Gilmore	Lolley	Radney
Carr	Givhan	McCarley	Skidmore
Childs	Goodwyn	McDermott	Stone
Clark	Harris	Morrow	Torbert
Cooper	Hawkins	O'Bannon	Turner
Engel	Jackson	Oden	Vacca

—31

Nays:

Messrs.:	Branyon	Dominick	—2
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Mr. Pierce offered the following amendment to the Bill, H. B. 220, as amended by the substitute, to-wit:

AMENDMENT TO H. B. 220 AS AMENDED

Amend Section 1 of the substitute for H. B. 220 by adding, after the paragraph captioned "State's share of the net tax proceeds", a new paragraph to read as follows:

"'Public Highway' means every highway, road, street, alley, lane, court, place, trail, drive, bridge, viaduct or trestle, located either within a municipality or in unincorporated territory, and laid out or erected as such by the public or dedicated or abandoned to the public or intended for use by or for the public. The term 'public highway' shall apply to and include driveways upon the grounds of universities, colleges, schools and institutions, but shall not be deemed to include private driveways, private roads, or private places not intended for use by the public."

Which was adopted.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Engel	Jackson	Pelham
Albea	Folsom	Leonard	Pierce
Bailes	Giles	Lindsey	Radney
Carr	Gilmore	Lolley	Skidmore
Childs	Givhan	McCarley	Stone
Clark	Goodwyn	McDermott	Turner
Cooper	Harris	Morrow	Vacca
Dominick	Hawkins	O'Bannon	

—30

Nay:	Mr. Branyon	—1
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Mr. Giles offered the following amendment to the Bill, H. B. 220, as amended, to-wit:

Amendment to H. B. 220, as amended

Add the following immediately prior to the period at the end of Clause (4) of Section 3(d):

"or any special federal census heretofore held in any county subsequent to the effective date of the 1960 federal decennial census."

Add the following immediately prior to the period at the end of Clause (2) of Section 4(b):

"or any special federal census heretofore held in any county subsequent to the effective date of the 1960 federal decennial census."

Mr. Harris moved that said amendment be laid on the table, which motion was lost.

Yeas 6; Nays 24.

Yeas:

Messrs.:	Dominick	McDermott	Pierce	
Bailes	Harris	Pelham		—6

Nays:

Messrs.:	Engel	Jackson	Radney	
Albea	Giles	Leonard	Skidmore	
Branyon	Gilmore	Lindsey	Stone	
Carr	Givhan	Lolley	Torbert	
Childs	Goodwyn	McCarley	Turner	
Clark	Hawkins	Morrow	Vacca	
Cooper				—24

And said amendment offered by Mr. Giles to the Bill, H. B. 220, as amended, was then adopted.

Yeas 26; Nays 6.

Yeas:

Messrs.:	Engel	Jackson	Radney	
Albea	Folsom	Leonard	Skidmore	
Bailes	Giles	Lindsey	Stone	
Branyon	Gilmore	Lolley	Torbert	
Childs	Givhan	McCarley	Turner	
Clark	Goodwyn	Morrow	Vacca	
Cooper	Hawkins	Oden		—26

Nays:

Messrs.:	Dominick	McDermott	Pierce	
Carr	Harris	Pelham		—6

And said Bill, H. B. 220, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 4.

Yeas:

Messrs.:	Folsom	Lindsey	Pelham	
Albea	Giles	Lolley	Pierce	
Bailes	Gilmore	McCarley	Radney	
Carr	Givhan	McDermott	Skidmore	
Childs	Goodwyn	Morrow	Stone	
Clark	Hawkins	O'Bannon	Turner	
Cooper	Jackson	Oden	Vacca	
Engel	Leonard			—29

Nays:

Messrs.:	Dominick	Harris	Torbert	
Branyon				—4

The Bill:

H. 221. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

Substitute for H. B. 221

A BILL
TO BE ENTITLED
AN ACT

To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide

that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Authorization to Issue Additional Bonds. Alabama Highway Authority ("the corporation"), which was heretofore incorporated pursuant to the provisions of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama ("the 1955 Act"), shall have the power, and is hereby authorized and empowered, to sell and issue its bonds not exceeding \$160,000,000 in aggregate principal amount, and to refund all or any thereof by the issuance of refunding bonds (all such bonds, including refunding bonds, being herein collectively referred to as "the bonds"). The powers conferred on the corporation by this act are in addition to all powers heretofore conferred on the corporation by the 1955 Act, by Act No. 45 adopted at the First Special Session of 1959 of the Legislature of Alabama ("the 1959 Act") and by Act No. 26 adopted at the First Special Session of 1963 of the Legislature of Alabama ("the 1963 Act"), or any of them.

Section 2. Details Respecting the Bonds. The bonds, which may be issued in one or more series, shall be in such forms and denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidenced in such manner, and may contain other provisions not inconsistent with this act, all as may be provided in the resolution or resolutions of the board of directors of the corporation wherein the bonds are authorized to be issued; provided, that none of the bonds shall have a specified maturity date later than twenty years after its date. The corporation may at its election retain in the resolution or resolutions under which any of the bonds are issued an option to redeem all or any thereof and at such redemption price or prices and after such notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and as may be briefly recited in the face of the bonds with respect to which such option of redemption is retained. With respect to those of the bonds having stated maturities more than ten years after the date thereof, the corporation shall retain in the resolution or resolutions authorizing their issuance an option to redeem, at the expiration of the tenth year following the date thereof and on any interest payment date thereafter, all or any of the bonds having stated maturities after the expiration of the tenth year following their date, at such redemption price or prices and after such redemption notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and briefly recited in the face of the bonds.

Section 3. Execution of the Bonds. The bonds shall be signed by the president of the corporation and attested by its secretary, and all interest coupons applicable to the bonds shall be signed by the president of the corporation; provided, that a facsimile of the signature of one, but not of both, of said officers may be printed or otherwise reproduced on any of the bonds in lieu of their being manually signed, and a facsimile of the president's signature may be printed or otherwise reproduced on any of the interest coupons in lieu of their being manually signed. The seal of the corporation shall be impressed on the bonds, provided that a facsimile of said seal may be printed or otherwise reproduced on any of the bonds in lieu of being manually impressed thereon.

Section 4. Sale of the Bonds. Each series of the bonds shall be sold at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the corporation for the bonds being sold, computed from the date of those at the time being sold to their respective maturities; provided, that if no bid acceptable to the corporation is received it may reject all bids. Notice of each such sale

shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the state which is customarily published not less often than six days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The board of directors may fix the terms and conditions under which each such sale may be held; provided, that none of the bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this act. Approval by the Governor of Alabama of the terms and conditions under which any of the bonds may be issued shall be requisite to their validity. Such approval shall be entered on the minutes of the respective meetings of the board of directors at which the bonds proposed to be issued are authorized, and shall be signed by the Governor. The approval by the Governor may be shown on the bonds by the signature of the Governor imprinted or otherwise reproduced thereon if the said approval signed by the Governor and entered on the said minutes shall authorize the said approval to be so shown on the bonds. Neither a public hearing nor consent by the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the bonds.

Section 5. Bonds to be Limited Obligations; Pledge Therefor. The bonds shall not be general obligations of the corporation but shall be payable solely out of the funds appropriated and pledged therefor in Section 9 of this act. As security for the payment of the principal of and interest on the bonds issued by it under this act, the corporation is hereby authorized and empowered to pledge for payment of the said principal and interest the funds that are appropriated and pledged in Section 9 of this act for payment of the said principal and interest. All such pledges made by the corporation shall take precedence in the order of the adoption of the resolutions containing such pledges. All contracts made and all bonds issued by the corporation pursuant to the provisions of this act shall be solely and exclusively obligations of the corporation and shall not be an obligation or debt of the state. The bonds shall be construed to be negotiable instruments although payable solely from a specified source as herein provided.

Section 6. Bonds and Income Thereon Exempt From Taxation; Bonds May be Used to Secure Deposits and for Investment of Fiduciary Funds. The bonds and the income therefrom shall be exempt from all taxation in the state. Any of the bonds may be used by the holder thereof as security for the deposit of any funds belonging to the state or to any instrumentality or agency of the state in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in any of the bonds.

Section 7. Refunding Bonds. Subject to the provisions contained in this act, the corporation may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the corporation issued under this act and then outstanding, together with any premium that may be necessary to be paid in order to redeem or retire the bonds proposed to be refunded. The limitation provided for in Section 1 of this act on the amount of bonds authorized in this act shall not apply to the said refunding bonds.

Section 8. Use of Proceeds of Bonds. The corporation shall pay out of the proceeds from the sale of any of the bonds all expenses which the said board of directors may deem necessary or advantageous in connec-

tion with the sale and issuance of the bonds. The proceeds of the bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the state treasury, shall be carried in the public road and bridge fund, and shall be subject to be drawn on by the corporation, upon the approval of the highway department and the Governor, but only for the purpose of paying costs of construction, reconstruction and improvement of public highways and bridges in the state (including the acquisition of property necessary for such construction, reconstruction and improvement); provided, however, that if such action should be necessary in order to comply with any federal legislation relating to federal aid in highway and bridge construction, the corporation may authorize the highway department to expend directly any portion of the proceeds of the bonds for payment of the state's share of the cost of any such work; provided further, that at any time when moneys may have been allocated or apportioned to the state, under the provisions of any law of the United States now in effect or hereafter enacted, for use in construction, reconstruction and improvement of public highways and bridges on the condition that the state shall pay a portion of the cost of such construction, reconstruction and improvement, then (unless the said condition shall have been otherwise met by the state, or an agency or subdivision thereof), the proceeds received during any fiscal year of the state from the sale of any series of the bonds must be allocated (and when so allocated shall thereafter be used) only to pay the state's share of the cost of such construction, reconstruction and improvement to such extent as shall exhaust the moneys so allocated or apportioned by the United States before being applied for other highway and bridge purposes. The proceeds from the sale of all refunding bonds issued by the corporation under this act remaining after paying the expenses of their issuance shall be turned into the state treasury and used only for the purpose of refunding the principal of bonds of the corporation theretofore issued under this act and then outstanding and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded. The provisions of the 1955 act with respect to highway and bridge construction, the letting and approval of contracts therefor, the supervision of construction work, the making of rules and regulations for protection of public ways and of the traveling public shall apply to the highways and bridges constructed and reconstructed with proceeds from the bonds; provided, however, that the said provisions shall so apply only to the extent that they are not in conflict with any federal legislation, regulation, or requirement relating to federal aid in highway and bridge construction.

Section 9. Appropriation of Revenues to the Corporation; Pledge Thereof for the Benefit of the Bonds. For the purpose of providing funds to enable the corporation to pay at their respective maturities the principal of and interest on the bonds that may be issued by it under the provisions of this act and to accomplish the purposes and objects of its creation, there hereby is irrevocably pledged to said purpose and appropriated so much as may be necessary for said purpose of the following:

(a) So much as may be necessary for such purpose of that portion of the proceeds from the motor vehicle license taxes and registration fees that is provided to be distributed to the State of Alabama (herein called "the state") pursuant to the provisions of Section 713 of Title 51 of the Code of Alabama of 1940, as amended; and

(b) To such extent and to such extent only as the revenues appropriated under the foregoing subsection (a) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds, so much as may be necessary for such purpose [when added to the amounts appropriated in the said subsection (a)] of that portion of the state's share of the net tax proceeds of the highway

gasoline tax that is referred to and appropriated to the corporation in Section 3(d)(1) of the act that was introduced in the Legislature as House Bill 220 and was enacted at the Extraordinary Session of the Legislature that convened on March 2, 1967 (herein called "the gasoline tax appropriation act") after there shall have been taken therefrom the amounts necessary for the purposes specified in subsections (a), (b) and (c) of Section 3 of the gasoline tax appropriation act.

All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and the interest on the bonds. As security for the payment of the principal of and interest on the bonds issued under this act, the corporation is authorized to pledge the proceeds of the appropriation and pledge herein provided for. The terms "state's share of the net tax proceeds," "net tax proceeds," and "highway gasoline tax," wherever used in this act, shall be deemed to have the meanings given those terms as defined in the gasoline tax appropriation act.

Section 10. Required Coverage. No series of the bonds shall be issued at any time if the aggregate amount of principal and interest that will mature with respect to that series of the bonds during any fiscal year of the state, when added to the total principal and interest that will mature during the same fiscal year on (a) those bonds issued under that certain Amendment to the Constitution of Alabama proposed by Act No. 82 adopted at the 1951 Regular Session of the Legislature of Alabama (sometimes referred to as Amendment LXXXVII), the last of which will mature April 1, 1969, (b) those bonds of the corporation then outstanding that were issued under the 1955 Act, the 1959 Act, the 1962 Act, or this act, and (c) those bonds heretofore issued by Alabama Highway Finance Corporation, a public corporation created under Act No. 228 adopted at the 1965 Regular Session of the Legislature of Alabama, would exceed fifty per centum (50%) of the sum of the following: (1) an amount equal to that portion of the state's share of the net tax proceeds from the highway gasoline tax referred to in Section 3 of the gasoline tax appropriation act collected by the state during the fiscal year next preceding the fiscal year during which are issued the series of the bonds proposed to be issued, and (2) whichever of the following shall be applicable: (i) if any series of the bonds is issued after October 1, 1968, an amount equal to that portion of the motor vehicle license taxes and registration fees required to be distributed to the state pursuant to Section 713 of Title 51 of the Code of Alabama of 1940, as amended, that were collected during the fiscal year next preceding the fiscal year during which the said series of the bonds is issued, or (ii) if any series of the bonds is issued prior to October 1, 1968, the sum that would have been distributed to the state pursuant to the said Section 713, as amended, during the fiscal year next preceding the fiscal year during which the said series of the bonds is issued, if the said Section 713, as amended, had been in effect throughout the said then preceding fiscal year and if the rates for motor vehicle license taxes and registration fees that will become effective October 1, 1967, had been in effect throughout the said then preceding fiscal year. The amount of the state's share of the net tax proceeds from the highway gasoline tax and the amounts referred to in the foregoing clause (2) of this section shall be conclusively established by a certificate of the Commissioner of Revenue of the state.

Section 11. State Treasurer to Disburse Funds. Out of the revenues appropriated and pledged in Section 10 of this act, the State Treasurer is authorized and directed to pay the principal of and interest on the bonds at the respective maturities of said principal and interest, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 12. Severability Clause. In the event any section, sentence, clause or provision of this act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this act, which shall continue effective.

Section 13. Effective Date. This act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

On motion of Mr. Engel, said substitute was laid on the table.

Mr. Engel offered the following substitute for the Bill, H. B. 221, to-wit:

Substitute for H. B. 221

A BILL
TO BE ENTITLED
AN ACT

To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Authorization to Issue Additional Bonds. Alabama Highway Authority ("the corporation"), which was heretofore incorporated pursuant to the provisions of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama ("the 1955 Act"), shall have the power, and is hereby authorized and empowered, to sell and issue its bonds not exceeding \$160,000,000 in aggregate principal amount, and to refund all or any thereof by the issuance of refunding bonds (all such bonds, including refunding bonds, being herein collectively referred to as "the bonds"). The powers conferred on the corporation by this act are in addition to all powers heretofore conferred on the corporation by the 1955 Act, by Act No. 45 adopted at the First Special Session of 1959 of the Legislature of Alabama ("the 1959 Act") and by Act No. 26 adopted at the First Special Session of 1963 of the Legislature of Alabama ("the 1963 Act"), or any of them.

Section 2. Details Respecting the Bonds. The bonds, which may be issued in one or more series, shall be in such forms and denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidenced in such manner, and may contain other provisions not inconsistent with this act, all as may be provided in the resolution or resolutions of the board of directors of the corporation wherein the bonds are authorized to be issued; provided, that none of the bonds shall have a specified maturity date later than twenty years after its date. The corporation may at its election retain in the resolution or resolutions under which any of the bonds are issued an option to redeem all or any thereof and at such redemption price or prices and after such notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and as may be briefly recited in the face of the bonds with respect to which such option of redemption is retained. With respect to those of the bonds having stated maturities more than ten years after the date thereof, the corporation shall retain in the resolution or resolutions authorizing their issuance an option to redeem, at the expiration of the tenth year following the date thereof and on any interest payment date thereafter, all or any of the bonds having stated maturities after the expiration of the tenth year following their date, at such redemption price or prices and after such redemption notice or notices and on such terms and conditions as may be set forth in said resolution or resolutions and briefly recited in the face of the bonds.

Section 3. Execution of the Bonds. The bonds shall be signed by the president of the corporation and attested by its secretary, and all interest coupons applicable to the bonds shall be signed by the president of the corporation; provided, that a facsimile of the signature of one, but not of both, of said officers may be printed or otherwise reproduced on any of the bonds in lieu of their being manually signed, and a facsimile of the president's signature may be printed or otherwise reproduced on any of the interest coupons in lieu of their being manually signed. The seal of the corporation shall be impressed on the bonds, provided that a facsimile of said seal may be printed or otherwise reproduced on any of the bonds in lieu of being manually impressed thereon.

Section 4. Sale of the Bonds. Each series of the bonds shall be sold at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the corporation for the bonds being sold, computed from the date of those at the time being sold to their respective maturities; provided, that if no bid acceptable to the corporation is received it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the state which is customarily published not less often than six days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The board of directors may fix the terms and conditions under which each such sale may be held; provided, that none of the bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this act. Approval by the Governor of Alabama of the terms and conditions under which any of the bonds may be issued shall be requisite to their validity. Such approval shall be entered on the minutes of the respective meetings of the board of directors at which the bonds proposed to be issued are authorized, and shall be signed by the Governor. The approval by the Governor may be shown on the bonds by the signature of the Governor imprinted or otherwise reproduced thereon if the said approval signed by the Governor and entered on the said minutes shall authorize the said approval to be so shown on the bonds. Neither a public hearing nor consent by the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the bonds.

Section 5. Bonds to be Limited Obligations; Pledge Therefor. The bonds shall not be general obligations of the corporation but shall be payable solely out of the funds appropriated and pledged therefor in Section 9 of this act. As security for the payment of the principal of and interest on the bonds issued by it under this act, the corporation is hereby authorized and empowered to pledge for payment of the said principal and interest the funds that are appropriated and pledged in Section 9 of this act for payment of the said principal and interest. All such pledges made by the corporation shall take precedence in the order of the adoption of the resolutions containing such pledges. All contracts made and all bonds issued by the corporation pursuant to the provisions of this act shall be solely and exclusively obligations of the corporation and shall not be an obligation or debt of the state. The bonds shall be construed to be negotiable instruments although payable solely from a specified source as herein provided.

Section 6. Bonds and Income Thereon Exempt From Taxation; Bonds May be Used to Secure Deposits and for Investment of Fiduciary Funds. The bonds and the income therefrom shall be exempt from all taxation in the state. Any of the bonds may be used by the holder thereof as security for the deposit of any funds belonging to the state or to any instrumentality or agency of the state in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in any of the bonds.

Section 7. Refunding Bonds. Subject to the provisions contained in this act, the corporation may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the corporation issued under this act and then outstanding, together with any premium that may be necessary to be paid in order to redeem or retire the bonds proposed to be refunded. The limitation provided for in Section 1 of this act on the amount of bonds authorized in this act shall not apply to the said refunding bonds.

Section 8. Use of Proceeds of Bonds. The corporation shall pay out of the proceeds from the sale of any of the bonds all expenses which the said board of directors may deem necessary or advantageous in connection with the sale and issuance of the bonds, but no fees for fiscal agents or financial consultants, nor to any attorney other than the counsel rendering the unqualified legal opinion on the bonds issued by the corporation under this act, shall be paid. The proceeds of the bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the state treasury, shall be carried in the public road and bridge fund, and shall be subject to be drawn on by the corporation, upon the approval of the highway department and the Governor, but only for the purpose of paying costs of construction, reconstruction and improvement of public highways and bridges in the state (including the acquisition of property necessary for such construction, reconstruction and improvement); provided, however, that if such action should be necessary in order to comply with any federal legislation relating to federal aid in highway and bridge construction, the corporation may authorize the highway department to expend directly any portion of the proceeds of the bonds for payment of the state's share of the cost of any such work; provided further, that at any time when moneys may have been allocated or apportioned to the state, under the provisions of any law of the United States now in effect or hereafter enacted, for use in construction, reconstruction and improvement of public highways and bridges on the condition that the state shall pay a portion

of the cost of such construction, reconstruction and improvement, then (unless the said condition shall have been otherwise met by the state, or an agency or subdivision thereof), the proceeds received during any fiscal year of the state from the sale of any series of the bonds must be allocated (and when so allocated shall thereafter be used) only to pay the state's share of the cost of such construction, reconstruction and improvement to such extent as shall exhaust the moneys so allocated or apportioned by the United States before being applied for other highway and bridge purposes; and provided, also, that not more than one hundred thirty million dollars (\$130,000,000) of the proceeds of the bonds is required to be used exclusively for paying the state's share or for matching federal funds allocated or apportioned to the state for use in construction, reconstruction and improvement of public highways and bridges. The proceeds from the sale of all refunding bonds issued by the corporation under this act remaining after paying the expenses of their issuance shall be turned into the state treasury and used only for the purpose of refunding the principal of bonds of the corporation theretofore issued under this act and then outstanding and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded. The provisions of the 1955 act with respect to highway and bridge construction, the letting and approval of contracts therefor, the supervision of construction work, the making of rules and regulations for protection of public ways and of the traveling public shall apply to the highways and bridges constructed and reconstructed with proceeds from the bonds; provided, however, that the said provisions shall so apply only to the extent that they are not in conflict with any federal legislation, regulation, or requirement relating to federal aid in highway and bridge construction.

Section 9. Appropriation of Revenues to the Corporation; Pledge Thereof for the Benefit of the Bonds. For the purpose of providing funds to enable the corporation to pay at their respective maturities the principal of and interest on the bonds that may be issued by it under the provisions of this act and to accomplish the purposes and objects of its creation, there hereby is irrevocably pledged to said purpose and appropriated so much as may be necessary for said purpose of the following:

(a) So much as may be necessary for such purpose of that portion of the proceeds from the motor vehicle license taxes and registration fees that is provided to be distributed to the State of Alabama (herein called "the state") pursuant to the provisions of Section 713 of Title 51 of the Code of Alabama of 1940, as amended; and

(b) To such extent and to such extent only as the revenues appropriated under the foregoing subsection (a) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds, so much as may be necessary for such purpose [when added to the amounts appropriated in the said subsection (a)] of that portion of the state's share of the net tax proceeds of the highway gasoline tax that is referred to and appropriated to the corporation in Section 3(d) (1) of the act that was introduced in the Legislature as House Bill 220 and was enacted at the Extraordinary Session of the Legislature that convened on March 2, 1967 (herein called "the gasoline tax appropriation act"); and

(c) To such extent and to such extent only as the revenues appropriated under the foregoing subsections (a) and (b) of this section may not be sufficient to pay at their respective maturities the principal of and interest on the bonds, so much as may be necessary for such purpose [when added to the amounts appropriated in the foregoing subsections (a) and (b)] of (1) the entire proceeds from the excise tax levied by Act No. 590 adopted at the 1939 Regular Session of the Legislature, as

amended, on distributors and storers of motor fuel, as therein defined, remaining after payment of the costs of collection thereof, and (2) the entire proceeds from the excise tax levied by Act No. 674 adopted at the 1961 Regular Session of the Legislature, as amended (exclusive of that portion of the said tax in respect of gasoline), remaining after payment of the costs of collection thereof (the term "cost of collection," as used in this subsection (c), meaning that portion of the excise taxes referred to in this subsection that may be appropriated by the Legislature to the Department of Revenue for its operating expenses; and the proceeds from the said taxes remaining after costs of collection being herein called "the net proceeds from the motor fuel tax").

All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and the interest on the bonds. As security for the payment of the principal of and interest on the bonds issued under this act, the corporation is authorized to pledge the proceeds of the appropriation and pledge herein provided for. The terms "state's share of the net tax proceeds," "net tax proceeds," and "highway gasoline tax," wherever used in this act, shall be deemed to have the meanings given those terms as defined in the gasoline tax appropriation act.

Section 10. Required Coverage. No series of the bonds shall be issued at any time if the aggregate amount of principal and interest that will mature with respect to that series of the bonds during any fiscal year of the state, when added to the total principal and interest that will mature during the same fiscal year on (a) those bonds issued under that certain Amendment to the Constitution of Alabama proposed by Act No. 82 adopted at the 1951 Regular Session of the Legislature of Alabama (sometimes referred to as Amendment LXXXVII), the last of which will mature April 1, 1969, (b) those bonds of the corporation then outstanding that were issued under the 1955 Act, the 1959 Act, the 1963 Act, or this act, and (c) those bonds then outstanding that were issued by Alabama Highway Finance Corporation, a public corporation created under Act No. 228 adopted at the 1965 Regular Session of the Legislature of Alabama, would exceed fifty per centum (50%) of the sum of the following: (1) an amount equal to that portion of the state's share of the net tax proceeds from the highway gasoline tax referred to in Section 3 of the gasoline tax appropriation act collected by the state during the fiscal year next preceding the fiscal year during which are issued the series of the bonds proposed to be issued, (2) an amount equal to the net proceeds from the motor fuel tax collected during the fiscal year next preceding the fiscal year during which are issued the series of the bonds then proposed to be issued, and (3) whichever of the following shall be applicable: (i) if any series of the bonds is issued after October 1, 1968, an amount equal to that portion of the motor vehicle license taxes and registration fees required to be distributed to the state pursuant to Section 713 of Title 51 of the Code of Alabama of 1940, as amended, that were collected during the fiscal year next preceding the fiscal year during which the said series of the bonds is issued, or (ii) if any series of the bonds is issued prior to October 1, 1968, the sum that would have been distributed to the state pursuant to the said Section 713, as amended, during the fiscal year next preceding the fiscal year during which the said series of the bonds is issued, if the said Section 713, as amended, had been in effect throughout the said then preceding fiscal year and if the rates for motor vehicle license taxes and registration fees that will become effective October 1, 1967, had been in effect throughout the said then preceding fiscal year. The amount of the state's share of the net tax proceeds from the highway gasoline tax, the amount of the net proceeds from the motor fuel tax, and the amounts referred to in the foregoing clause (3) of this section shall be conclusively established by a certificate of the Commissioner of Revenue of the state.

Section 11. State Treasurer to Disburse Funds. Out of the revenues appropriated and pledged in Section 9 of this act, the State Treasurer is authorized and directed to pay the principal of and interest on the bonds at the respective maturities of said principal and interest, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 12. Severability Clause. In the event any section, sentence, clause or provision of this act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this act, which shall continue effective.

Section 13. Effective Date. This act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 29; Nays 2.

Yeas:

Messrs.:	Engel	Leonard	Pelham
Albea	Folsom	Lindsey	Pierce
Bailes	Giles	Lolley	Radney
Carr	Gilmore	McCarley	Skidmore
Childs	Givhan	McDermott	Stone
Clark	Goodwyn	Morrow	Torbert
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Jackson		

—29

Nays:

Messrs.:	Branyon	Harris	—2
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Mr. Harris offered the following amendment to the Bill, H. B. 221, as amended by the Engel substitute, to-wit:

Amendment to H. B. 221, as amended

Strike out Section 8 of the bill and insert in lieu thereof the following:

"Section 8. Use of Proceeds of Bonds. The corporation shall pay out of the proceeds from the sale of any of the bonds all expenses which the said board of directors may deem necessary or advantageous in connection with the sale and issuance of the bonds. The proceeds of the bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the State Treasury, shall be carried in the public road and bridge fund, and shall be subject to be drawn on by the corporation, upon the approval of the Highway Department and the Governor, but only for the purpose of constructing, reconstructing and relocating public roads and bridges, or work incidental or related thereto, and including the acquisition of property necessary therefor, in the State of Alabama; provided that such funds may be used only for the payment of the State's share of the cost of constructing, reconstructing and relocating public roads and bridges, or work incidental or related thereto, which have been or will be constructed, reconstructed, or relocated under programs financed jointly by the State and Federal Government; and provided further, that if such action shall be necessary in order to comply with any Federal legislation relating to Federal aid in construction of roads, the corporation may authorize the State Highway Department to spend directly any portion of such proceeds for constructing, reconstructing and relocating such roads and bridges or work incidental or related thereto. The Provisions of the 1955 Act with

respect to highway and bridge construction, letting and approval of contracts therefor, the supervision of construction work, the making of rules and regulations for protection of public ways and of the traveling public shall apply to the highways and bridges constructed and reconstructed with proceeds from the bonds. Provided, however, that the said provision shall so apply only to the extent that they are not in conflict with any Federal legislation, regulation or requirement relating to Federal aid in highway and bridge construction."

On motion of Mr. Engel, said amendment was laid on the table.

Yeas 24; Nays 7.

Yeas:

Messrs.:	Folsom	Leonard	Pelham	
Branyon	Giles	Lindsey	Radney	
Carr	Gilmore	Lolley	Stone	
Childs	Givhan	McCarley	Torbert	
Clark	Goodwyn	Morrow	Turner	
Cooper	Jackson	Oden	Vacca	
Engel				—24

Nays:

Messrs.:	Bailes	Harris	O'Bannon	
Albea	Dominick	McDermott	Pierce	—7

Mr. Morrow offered the following amendment to the Bill, H. B. 221, as amended, to-wit:

Amendment to Sub. for H. B. 221

In Sec. 7 on Page 5 in the fourth line delete the words "matured or".

Which was adopted.

Yeas 27; Nay 1.

Yeas:

Messrs.:	Dominick	Hawkins	Morrow	
Albea	Engel	Jackson	O'Bannon	
Bailes	Folsom	Leonard	Pelham	
Carr	Giles	Lindsey	Pierce	
Childs	Gilmore	Lolley	Radney	
Clark	Givhan	McCarley	Turner	
Cooper	Goodwyn	McDermott	Vacca	—27

Nay: Mr. Torbert

—1

And said Bill, H. B. 221, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 5.

Yeas:

Messrs.:	Giles	Lindsey	Pierce	
Bailes	Gilmore	Lolley	Radney	
Childs	Givhan	McCarley	Skidmore	
Clark	Goodwyn	McDermott	Stone	
Cooper	Hawkins	Morrow	Torbert	
Engel	Jackson	Oden	Turner	
Folsom	Leonard	Pelham	Vacca	—27

Nays:

Messrs.:	Branyon	Harris	O'Bannon
Albea	Dominick		

—5

The Bill:

H. 82. To amend Title 51, section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline so as to effect a reduction in the rate of taxation of gasoline and other fuels used to propel aircraft.

was taken up.

Mr. Branyon offered the following amendment to the Bill, to-wit:

Amendment to H. B. 82

In Section 1, strike out subsection (d) of the proposed amendment of Section 647 and insert in lieu thereof the following:

(d) Every distributor, refiner, retail dealer, storer or user of gasoline or any substitute or device therefor sold for use as a fuel to propel aircraft shall collect and pay over to the state department of revenue an excise tax of seven cents per gallon upon the selling, use or consumption, distributing, storing or withdrawing from storage in this state of gasoline or any substitute therefor for use as a fuel to propel aircraft. Provided, that when the commissioner of revenue shall determine at the end of any month that the total net amount of revenue produced by the tax levied in this subsection and paid to the state for the then current fiscal year is \$500,000 or more, the tax levy shall be abated for the remainder of that fiscal year and no taxes shall be collected, demanded or received during the remainder of such fiscal year on aviation fuel sold, distributed, consumed, or used after such determination has been made and before the end of the fiscal year. The revenue, less the cost of collection, obtained from the tax levied in this subsection shall be paid into the state treasury and shall be used exclusively for the purpose of paying the cost of acquiring, engineering, construction, improvement and maintenance of existing or proposed airports and other air navigation facilities within the state, for the payment of the salary of the state director of aeronautics, the salaries of other employees of the Alabama department of aeronautics, and for the payment of other administrative and aeronautical expenses of the Alabama department of aeronautics and for the further purpose of creating a sinking fund for the payment of the interest and retirement of the principal of all bonds which may be hereafter lawfully issued, sold and delivered for funds to be used exclusively for the enumerated purposes.

On motion of Mr. Giles, said amendment was laid on the table.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Engel	Jackson	Pierce
Bailes	Giles	Lolley	Radney
Carr	Gilmore	McCarley	Torbert
Childs	Givhan	McDermott	Turner
Clark	Goodwyn	Pelham	Vacca
Dominick	Hawkins		

—21

Nays:

Messrs.:	Leonard	O'Bannon	Skidmore
Albea	Lindsey	Oden	Stone
Cooper			

—8

And said Bill, H. B. 82, was then read a third time at length and passed.

Yeas 23; Nays 6.

Yeas:

Messrs.:	Engel	Jackson	Pelham
Albea	Giles	Leonard	Pierce
Bailes	Gilmore	Lolley	Radney
Carr	Givhan	McCarley	Torbert
Childs	Goodwyn	McDermott	Turner
Dominick	Hawkins	Morrow	Vacca

—23

Nays:

Messrs.:	Lindsey	Oden	Stone
Cooper	O'Bannon	Skidmore	

—6

POINT OF ORDER

Mr. Oden raised the following Point of Order: Would not the passage of H. B. 82 require a two-thirds majority voting in the affirmative, since H. B. 82 was not included in the call of the Governor?

The Chair stated that his interpretation of the Constitution is that a two-thirds majority of those present, provided a quorum is present, constitutes a Constitutional majority, and requested that the Journal show his interpretation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolutions, your signature thereto is requested.

H. 78. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws.

Also:

H. 225. That Jefferson County, Alabama, be authorized, empowered and permitted to reimburse the following persons for losses resulting to property owned by them as a result of water flooding their residences due to the stoppage of a culvert under Valley Road on July 16th, 1966, in the amount of \$5,913.00, said sum to be divided and paid in the following amounts to the following designated persons: Eleanor Rutledge \$315.00; H. O. Blalock \$2,889.00; T. R. Coleman \$85.00; James G. Cummings \$645.00; J. E. Wayton \$425.00; Jakie Wayton \$704.00; and Tom Williams \$850.00.

Also:

H. 234. Relating to all counties having populations of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census, providing further for the compensation and allowances of the deputies of the sheriff in said counties.

Also:

H. J. R. 89. Mourning the death of Representative Hugh Rowe Thomas of Tuscaloosa.

Also:

H. J. R. 91. Expressing regret upon the death of Mr. J. Ernest Rice, of Birmingham, the father-in-law of Representative Pete B. Turnham.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 84. To prohibit cities and towns from levying or imposing new or additional taxes, licenses, or excises on gasoline or any substitute therefor which is consumed as aviation fuel.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Engel	Jackson	Pelham
Bailes	Folsom	Leonard	Pierce
Carr	Giles	Lindsey	Radney
Childs	Gilmore	Lolley	Stone
Clark	Givhan	McCarley	Torbert
Cooper	Goodwyn	McDermott	Turner
Dominick	Hawkins	Morrow	Vacca

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including Sections 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as amended.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 221. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions respecting remittances by the judges of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; and to those ends, to amend Sections 692, 693, 695, 696, 697, 703, 712, and 713 of Title 51 of the Code of Alabama of 1940 and to repeal Sections 698, 699, and 700 of the said Title 51, and all other statutes in conflict with this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 77. Creating a joint legislative commission to study a general revision of the Constitution of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has concurred in and adopted the following Senate Joint Resolution:

S. J. R. 53. Relative to adjournment of the two Houses on the legislative day of the 1967 Regular Session of the Legislature next preceding the 15th day of May 1967, until the 13th day of June 1967.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House amendment to the Resolution, S. J. R. 53, the title of which is set out in the foregoing Message from the House, to-wit:

RULES COMMITTEE SUBSTITUTE FOR S. J. R. 53

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Joint Interim Committee on Finance and Taxation created by Senate Joint Resolution No. 2, Act No. 6, Organizational Session of 1967, shall continue in existence until the 15th day of June, 1967, pursuant to all the terms and conditions contained in said Senate Joint Resolution No. 2, Act No. 6, except the expiration date of said committee.

BE IT FURTHER RESOLVED that when the two houses adjourn on the legislative day of the 1967 Regular Session of the Legislature next preceding the 15th day of May, 1967, they stand adjourned and in recess until 12:00 o'clock noon on the 13th day of June, 1967, without pay or expenses to the members except the expense allowance authorized by Senate Joint Resolution No. 4, Act No. 5, of the First Special Session, 1967.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Merrill:

H. J. R. 95. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a committee of three members of the House and three members of the Senate do wait upon the Governor and inform her of the desire to adjourn sine die and to inquire if she wishes to send any message to both bodies before the sine die adjournment.

And the Speaker of the House has named as a committee on the part of the House Messrs. Gloor, Cherner and Cook (Jefferson).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 95, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Childs, McCarley and Lolley.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 94. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two houses adjourn today they adjourn sine die.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 94, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 220. To provide for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by Code of Alabama 1940, Title 51, Chapter 25, Article 5; and to repeal laws in conflict herewith, including Sections 655, 656 and 657 of Title 51 of the Code of Alabama of 1940, as amended.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 221. To make further provision for the financing and construction of public roads and bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$160,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said

bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 219. To make further provisions respecting licenses and registration fees on motor vehicles and trailers, including provisions respecting the disposition of the proceeds of the said licenses and fees, provisions respecting remittances by the judges of probate of the said proceeds, and provisions as to the amount of the said licenses and fees on certain motor vehicles; and to those ends, to amend Sections 692, 693, 695, 696, 697, 703, 712, and 713 of Title 51 of the Code of Alabama of 1940 and to repeal Sections 698, 699, and 700 of the said Title 51, and all other statutes in conflict with this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 82. To amend Title 51, section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline so as to effect a reduction in the rate of taxation of gasoline and other fuels used to propel aircraft.

Also:

H. 84. To prohibit cities and towns from levying or imposing new or additional taxes, licenses, or excises on gasoline or any substitute therefor which is consumed as aviation fuel.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 54. Relative to the printing of the Journals and Acts of the Organizational Session and this Special Session.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 52. Relative to commending former Governor Wallace upon his most successful appearance on "Meet the Press".

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 43. Relative to the death of George Washington Miller of Mobile, Alabama.

Also:

S. J. R. 47. Relative to the death of Woodie E. Byrd.

Also:

S. J. R. 49. Relative to Mr. Bill Sellers, political reporter for the Mobile Press Register.

Also:

S. J. R. 50. Relative to thanking the hosts for the Lurleen Day in Tuscaloosa, Alabama.

Also:

S. J. R. 51. Relative to the death of Mr. Martin M. Giles.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 77. Relative to appointing a committee to study a revision of the Constitution of Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 43. Mourning the death of George Washington Miller of Mobile.

Also:

S. J. R. 49. Approving the honor recently bestowed upon Bill Sellers as "outstanding newsman in the State."

Also:

S. J. R. 51. Mourning the death of Mr. Martin M. Giles of Huntsville.

Also:

S. J. R. 50. Thanking those responsible for "Lurleen Day" in Tuscaloosa.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions, with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 47. Mourning the death of Woodie Byrd of Mobile County.

Also:

S. J. R. 52. Commending former Governor George Wallace upon his successful appearance on "Meet the Press".

Also:

S. J. R. 53. Continuing the Joint Interim Committee on Finance and Taxation.

Also:

S. J. R. 54. Relative to the printing of the Journals and Acts.

RICHARD DOMINICK,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 23. Delivered to the Governor May 1, 1967, at 2:15 P. M.

S. B. 21. Delivered to the Governor May 1, 1967, at 2:15 P. M.

S. J. R. 39. Delivered to the Governor May 1, 1967, at 2:15 P. M.

S. B. 117. Delivered to the Governor May 1, 1967, at 2:15 P. M.

S. J. R. 47. Delivered to the Governor May 1, 1967, at 12:00 Mid-night.

S. J. R. 52. Delivered to the Governor May 1, 1967, at 12:00 Mid-night.

S. J. R. 53. Delivered to the Governor May 1, 1967, at 12:00 Mid-night.

S. J. R. 54. Delivered to the Governor May 1, 1967, at 12:00 Mid-night.

S. J. R. 43. Delivered to the Governor May 1, 1967, at 12:00 Mid-night.

S. J. R. 51. Delivered to the Governor May 1, 1967, at 12:00 Mid-night.

S. J. R. 50. Delivered to the Governor May 1, 1967, at 12:00 Mid-night.

S. J. R. 49. Delivered to the Governor May 1, 1967, at 12:00 Mid-night.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

STEWART O'BANNON,
Chairman.

COMMITTEE REPORT

On motion of Mr. O'Bannon, the foregoing report was concurred in and the Journal of the Senate for the Thirty-First Legislative Day was approved by the Senate.

ADJOURNMENT

At 12 o'clock Midnight, on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

/s/ ALBERT BREWER
President and Presiding
Officer of the Senate

ATTEST:

/s/ McDOWELL LEE
Secretary of Senate

ROSTER OF THE SENATE OF ALABAMA

SPECIAL SESSION 1967

Albert P. Brewer, <i>Lieutenant Governor</i>	Decatur
O. J. "Joe" Goodwyn, <i>President Pro-Tem</i>	Montgomery
McDowell Lee, <i>Secretary</i>	Montgomery
Mrs. F. B. Ruffer, <i>Assistant Secretary</i>	Montgomery
First Senatorial District—Lauderdale and Colbert Counties.	
Stewart O'Bannon, Jr.	P. O. Box 123, Florence 35630
Second Senatorial District—Limestone and Morgan Counties.	
Bob Harris	P. O. Box 1727, Decatur 35602
Third Senatorial District—Madison County.	
Jack Giles	Morgil Bldg., 401 Franklin St., S. E., Huntsville 35801
Fourth Senatorial District—Jackson, DeKalb and Cherokee Counties.	
Dan Stone	P. O. Box W, Centre 35960
Fifth Senatorial District—Franklin, Marion, Lawrence and Winston Counties.	
W. E. Oden	402 High St., N. W., Russellville 35653
Sixth Senatorial District—Cullman and Walker Counties.	
Fred C. Folsom	207 Downtown Plaza, Cullman 35055
Seventh Senatorial District—Marshall, Blount and St. Clair Counties.	
Aubrey J. Carr	P. O. Box 326, Guntersville 35976
Eighth Senatorial District—Etowah County.	
Ollie W. Nabors	Suite 202, First City Nat'l. Bk. Bldg., Gadsden 35901
Ninth Senatorial District—Calhoun County.	
Woodrow Albea	401-404 Commercial Bk. Bldg., Anniston 36201
Tenth Senatorial District—Lamar, Fayette, Pickens, Greene and Hale Counties.	
James A. Branyon, II	P. O. Box 600, Fayette 35555
Eleventh Senatorial District—Tuscaloosa County.	
E. W. Skidmore	2011 8th St., Tuscaloosa 35401
Twelfth Senatorial District—Jefferson County.	
Place No. 1	
Hugh Morrow, III	City Nat'l Bk. Bldg., Birmingham 35203
Place No. 2	
Leland Childs	1605 Forest Ridge Rd., Birmingham 35226
Place No. 3	
John Hawkins, Jr.	2123 3rd Ave., No., Birmingham 35204
Place No. 4	
Richard Dominick	927 Brown Marx Bldg., Birmingham 35203
Place No. 5	
Geo. Lewis Bailes, Jr.	621 Massey Bldg., Birmingham 35203
Place No. 6	
Eddie Hubert Gilmore	P. O. Box 546, Bessemer 35020

ROSTER OF THE SENATE OF ALABAMA—Continued

Place No. 7

Paschal P. "Pat" Vacca 729-730 Frank Nelson Bldg.,
Birmingham 35203

Thirteenth Senatorial District—Talladega, Clay and Cleburne Counties.
G. Kyser Leonard 516 North St., Talladega 35160

Fourteenth Senatorial District—Bibb, Perry and Dallas Counties.
Walter C. Givhan Safford 36773

Fifteenth Senatorial District—Shelby, Coosa, Chilton and Autauga
Counties.
W. G. McCarley 111 Melmar Dr., Prattville 36067

Sixteenth Senatorial District—Tallapoosa, Elmore and Macon Counties.
Tom Radney Box 443, Alexander City 35010

Seventeenth Senatorial District—Randolph, Chambers and Lee Counties.
C. C. "Bo" Torbert, Jr. P. O. Box 272, Opelika 36801

Eighteenth Senatorial District—Sumter, Marengo, Choctaw and Wash-
ington Counties.
W. H. (Pat) Lindsey 122 S. Mulberry, Butler 36904

Nineteenth Senatorial District—Wilcox, Clarke, Monroe and Conecuh
Counties.
Roland Cooper Camden 36726

Twentieth Senatorial District—Lowndes, Butler, Crenshaw and Coving-
ton Counties.
Alton L. Turner P. O. Box 207, Luverne 36049

Twenty-first Senatorial District—Montgomery County.

Place No. 1

J. J. (Junie) Pierce 2448 Carter Hill, Montgomery 36106

Place No. 2

O. J. "Joe" Goodwyn 325 Bell Bldg., Montgomery 36104

Twenty-second Senatorial District—Bullock, Pike, Coffee and Geneva
Counties.

W. Ray Lolley 121 N. Main St., Enterprise 36330

Twenty-third Senatorial District—Russell, Barbour and Henry Counties.
James S. (Jimmy) Clark P. O. Box 71, Eufaula 36027

Twenty-fourth Senatorial District—Mobile County.

Place No. 1

Mylan R. Engel P. O. Box 1045, Mobile 36601

Place No. 2

Pierre Pelham P. O. Box 291, Mobile 36601

Place No. 3

William H. McDermott P. O. Box 1374, Mobile 36601

Twenty-fifth Senatorial District—Baldwin and Escambia Counties.

J. Ernest Jackson P. O. Box 614, Flomaton 36441

Twenty-sixth Senatorial District—Houston and Dale Counties.

J. L. (Jim) Adams P. O. Box 490, Dothan 36301

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA
SPECIAL SESSION 1967**

OFFICERS

RANKIN FITE, *Speaker*, Hamilton

HUGH D. MERRILL, *Speaker Pro-Tem*, Anniston

JOHN W. PEMBERTON, *Clerk*, Montgomery

ELIZABETH W. WILSON, *Assistant Clerk*, Montgomery

RICHARD C. BELSER, *Reading Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE		
	Place No. 1		
	James H. Haygood	2815 Womble St., Florence,	35630
	Place No. 2		
	Robert M. (Bob) Hill, Jr.	P. O. Box 687, Florence,	35630
2	LIMESTONE & LAWRENCE		
	Place No. 1		
	Edward Burgence	Rt. 7, Box 21, Athens,	35611
	Place No. 2		
	Robert R. Berryman	P. O. Box 742, Moulton,	35650
3	MADISON		
	Place No. 1		
	Tom Jones	P. O. Box 472, Huntsville,	35804
	Place No. 2		
	John David Snodgrass	P. O. Drawer 506, Huntsville,	35804
	Place No. 3		
	Harry L. Pennington	809 Shoney Dr., SW, Huntsville,	35801
	Place No. 4		
	Eugene M. McLain	P. O. Box 2005, Huntsville,	35804
	Place No. 5		
	Shelby Allen (Billy) Laxson	602 California St., Huntsville,	35801
4	JACKSON		
	Bill Williams	P. O. Box 220, Bridgeport,	35740
5	COLBERT & FRANKLIN		
	Place No. 1		
	Bryce U. Graham	1533 Woodmont Dr., Tusculumbia,	35674
	Place No. 2		
	W. Anderson Berryman	Rt. 5, Russellville,	35653

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 6 MORGAN
Place No. 1
Leslie Doss 2317 Quince Dr., SE, Decatur, 35601
Place No. 2
Ralph E. Slate 1310 Plaza St., Decatur, 35601
- 7 MARSHALL & CULLMAN
Place No. 1
John W. Starnes P. O. Box 262, Guntersville, 35976
Place No. 2
Sid McDonald Box 546, Arab, 35016
Place No. 3
Tom Drake P. O. Box 46, Cullman, 35055
- 8 DeKALB & CHEROKEE
Place No. 1
W. M. Beck, Jr. P. O. Box 66, Fort Payne, 35967
Place No. 2
Ralph A. Meade Cedar Bluff, 35959
- 9 MARION & WINSTON
Rankin Fite P. O. Box 157, Hamilton, 35570
- 10 BLOUNT
Bill L. Lemley P. O. Box 456, Oneonta, 35121
- 11 ETOWAH
Place No. 1
Richard Malone 149 Dortch Drive, Gadsden, 35901
Place No. 2
L. Charles Wright P. O. Box 405, Gadsden, 35902
Place No. 3
W. E. (Bill) Owens, Jr. 1243 Sangster Rd., Gadsden, 35901
- 12 LAMAR & FAYETTE
Dave Fine Box 276, Sulligent, 35586
- 13 WALKER
Place No. 1
Alonzo Shumate Rt. 6, Jasper, 35501
Place No. 2
Oscar C. Dobbs Rt. 2, Cordova, 35550
- 14 JEFFERSON
Place No. 1
J. Paul Meeks, Jr. 3043 Weatherton Dr., Birmingham, 35223
Place No. 2
J. T. (JaBo) Waggoner, Jr. .. 2524 Yorkmont Dr., Birmingham, 35226
Place No. 3
Robert L. "Bob" Ellis, Jr. Rt. 1, Box 509, Adamsville, 35005

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- Place No. 4
Hubert Kilgore 2208—3rd Ave., No., Irondale, 35210
- Place No. 5
Richard F. (Dick) Dill 1520 Pinson St., Tarrant, 35217
- Place No. 6
Joe Money 3529 Belle Meade Ln., Birmingham, 35223
- Place No. 7
Bob Adwell 2109 Darlington St., Birmingham, 35226
- Place No. 8
Raymond Weeks 3420-A Altamont Rd., Birmingham, 35205
- Place No. 9
E. T. (Tommy) Watkins 973 Linwood Rd., Birmingham, 35222
- Place No. 10
Robert C. (Bob) Gafford 5345 Division Ave., Birmingham, 35212
- Place No. 11
Tram Sessions P. O. Box 2612, Birmingham, 35202
- Place No. 12
Newman "Red" Yeilding 3340 Hermitage Rd., Birmingham, 35223
- Place No. 13
R. F. "Bob" Holman 2716—10th Ave., So., Birmingham, 35205
- Place No. 14
Verbon E. Crane Box 98, Kimberly, 35091
- Place No. 15
Quinton R. Bowers 1300 Chester St., Birmingham, 35226
- Place No. 16
John W. (Doug) Cook 1620 Stonewall Dr., Birmingham, 35226
- Place No. 17
Frank "Pig" House 10 Midfield Park Place, Birmingham, 35228
- Place No. 18
Bennett L. (Ben) Cherner P. O. Box 669, Bessemer, 35021
- Place No. 19
Tom Gloor Box C, Bessemer, 35020
- Place No. 20
Thomas H. Jackson 1812—3rd Ave., Bessemer, 35020
- 15 ST. CLAIR
Edwin Holladay 818 Cogswell Ave., Pell City, 35125
- 16 CALHOUN
Place No. 1
Ray Burgess Rt. 1, Box 717-L, Anniston, 36201
- Place No. 2
Hugh D. Merrill P. O. Box 1498, Anniston, 36201
- Place No. 3
Fred Ray Lybrand 213 Commercial National Bank Bldg.,
Anniston, 36201

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 17 **PICKENS & GREENE**
Edwin A. Tuck P. O. Box 554, Eutaw, 35462
- 18 **TUSCALOOSA**
Place No. 1
John L. Culver Rt. 3, Box 166, Tuscaloosa, 35401
Place No. 2

Place No. 3
Ralph D. "Doc" Brown 2210—10th Avenue, Tuscaloosa, 35401
Place No. 4
Bert Bank P. O. Box 2149, Tuscaloosa, 35401
- 19 **SHELBY**
Tom Stubbs Rt. 1, Box 14, Helena, 35080
- 20 **TALLADEGA**
Place No. 1
Lyndol Bolton Box 227, Sylacauga, 35150
Place No. 2
Philip H. (Phil) Smith P. O. Box 15, Talladega, 35160
- 21 **CLAY & COOSA**
Charles (Pete) Mathews Box 355, Ashland, 36251
- 22 **CLEBURNE & RANDOLPH**
Gus W. Young Rt. 1, Graham, 36263
- 23 **HALE & BIBB**
Walter Owens 107 Court Square, W., Centreville, 35042
- 24 **CHILTON**
Lewis W. Headley P. O. Box 471, Clanton, 35045
- 25 **TALLAPOOSA**
Owen Harper 502 Lilly Ave., East Tallassee, 36023
- 26 **CHAMBERS**
Charles Snell 109 LaFayette St., Fairfax, 36876
- 27 **SUMTER, MARENGO & PERRY**
Place No. 1
Ira D. Pruitt P. O. Box 27, Livingston, 35470
Place No. 2
Richard S. Manley P. O. Box 338, Demopolis, 36732
- 28 **DALLAS**
Place No. 1
John H. Blanton 114 Lauderdale St., Selma, 36701
Place No. 2
B. V. Hain P. O. Box 1190, Selma, 36701

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 29 **AUTAUGA & LOWNDES**
Leon P. Pearson 1248 S. Main St., Prattville, 36067
- 30 **ELMORE**
Ernest S. Collier 408 Pine St., Wetumpka, 36092
- 31 **MACON, BULLOCK & BARBOUR**
Place No. 1
James L. Paulk Rt. 3, Box 198-A, Union Springs, 36089
Place No. 2
William V. Neville, Jr. N. Randolph Ave., Eufaula, 36027
- 32 **LEE & RUSSELL**
Place No. 1
Bowen Brassell P. O. Box 573, Phenix City, 36867
Place No. 2
Pete Turnham P. O. Box 935, Auburn, 36830
Place No. 3
G. J. Higginbotham P. O. Box 585, Opelika, 36801
- 33 **CHOCTAW, CLARKE & WASHINGTON**
Place No. 1
Grover Lamar Agee P. O. Box 250, Chatom, 36518
Place No. 2
Joe C. McCorquodale, Jr. P. O. Box 535, Jackson, 36545
- 34 **WILCOX, MONROE & CONECUH**
Place No. 1
W. E. (Gene) Garrett P. O. Box 6, Uriah, 36480
Place No. 2
Wm. D. (Billy) Melton P. O. Box 188, Evergreen, 36401
- 35 **MONTGOMERY**
Place No. 1
Harold Harris Rt. 1, Box 145, Montgomery, 36105
Place No. 2
James W. Cameron 138 Adams Ave., Montgomery, 36104
Place No. 3
Walker Hobbie, Jr. Rt. 1, Box 384, Montgomery, 36105
Place No. 4
Howard E. McElhaney 416 So. Perry St., Montgomery, 36104
Place No. 5
Curtis H. Springer, Jr. 719-25 First Nat'l Bk. Bldg.,
Montgomery, 36104
- 36 **BUTLER, CRENSHAW & PIKE**
Place No. 1
L. Gardner Bassett 206 Orange St., Troy, 36081
Place No. 2
W. E. (Gene) Hardin 204 Ft. Dale Road, Greenville, 36037

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued****37 MOBILE**

Place No. 1

James C. (Jim) Wood 1010 Van Antwerp Bldg., Mobile, 36602

Place No. 2

Thomas M. Marr 158 St. Louis St., Mobile, 36601

Place No. 3

Mayer W. (Mike) Perloff ... 205 Van Antwerp Bldg., Mobile, 36602

Place No. 4

Clara Stone Collins 1950 Hunter Avenue, Mobile, 36606

Place No. 5

Robert S. Edington 50 Saint Emanuel Street, Mobile, 36602

Place No. 6

Coy Smith Citronelle, 36522

Place No. 7

Elwood L. Hogan ... 1201 Merchants' Nat'l Bk. Bldg., Mobile, 36601

Place No. 8

Maurice A. "Casey" Downing 920 Dauphin St., Mobile, 36604

Place No. 9

W. M. (Monty) Collins P. O. Box 1411, Mobile, 36601

Place No. 10

John William (Bill) Grayson ... 56 So. Conception St., Mobile, 36602

38 BALDWIN

Place No. 1

L. D. (Dick) Owen, Jr. Box 45, Bay Minette, 36507

Place No. 2

L. W. Brannan, Jr. Box 187, Foley, 36535

39 ESCAMBIA

J. M. (Mac) Mays Box 500, Atmore, 36502

40 COVINGTON & GENEVA

Place No. 1

Frank Jackson Box 209, Opp, 36467

Place No. 2

Crum Foshee P. O. Box J, Red Level, 36474

41 COFFEE

Drexel Cook Box 435, Elba, 36323

42 DALE

Henry B. Steagall, II P. O. Box 280, Ozark, 36360

43 HOUSTON & HENRY

Place No. 1

Buddy Crawford Abbeville, 36310

Place No. 2

R. J. (Bob) Stembridge P. O. Box 712, Dothan, 36301

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